

Sri K. S. SURYANARAYANA RAO.—Are Government aware that several hundreds of vacancies in Old Mysore were not filled up on the eve of integration just to have a uniform pattern of civil service in the State?

Sri B. D. JATTI.—It is a fact that some vacancies were not filled up.

Mr. DEPUTY SPEAKER.—The question time is over.

MYSORE NON-AGRICULTURAL LOANS BILL, 1958.

Introduction.

Sri Kadidal MANJAPPA (Minister for Revenue).—Sir, I beg to introduce the Mysore Non-agricultural Loans Bill, 1958.

Mr. DEPUTY SPEAKER.—The bill is introduced.

REPORT OF THE SPECIAL COMMITTEE ON RULES OF PROCEDURE.

Motion to consider. (contd.)

Sri V. P. DEENADAYALU NAIDU (Cubbonpet).—Mr Speaker, Sir, the fundamental issue that was raised before the House yesterday was that all the Rules pertaining to the legislatures in India have something to do with the pre-Constitution days. Therefore, with the coming into force of the new Constitution, there is a necessity to contemplate incorporating in our Rules the word 'contempt' as distinct and different from the word 'privilege'. That is necessary because our Constitution provides that wherever a lacuna appears we must look to the House of Commons. Article 194 (3) of the Constitution reads:

"In other respects, the powers, privileges and immunities of a House of the Legislature of a State, and of the members and the committees of a House of such Legislature, shall be such as may from time to time be defined by

the Legislature by law, and until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution."

As I have shown, there is a lacuna. The Special Committee that has gone into this matter for some reason or the other was not able to focuss attention on what is called 'contempt.' 'Privileges' are only with regard to certain rights enjoyed by this House. I want to know whether the Hon'ble Minister Sri Kadidal Manjappa is himself not committing a contempt now. (*The Hon'ble Minister was speaking to another member*).

Sri Kadidal MANJAPPA (Minister for Revenue).—I am attentive.

Sri V. P. DEENADAYALU NAIDU.—It is not merely a question of your being attentive. Are you not by your conduct doing a certain act which is 'contempt'? What I want to emphasise is that contempt is different from privilege. Privilege is something which is dormant and latent. Breach of privilege takes place by somebody violating certain acts. The House of Commons has chosen to make a distinction between what is called 'privilege' and 'contempt.' The Constitution itself lays down that whenever there is a lacuna we must follow the House of Commons. Therefore, in the absence of a clear definition of the word 'contempt' in our Rules as required by the Constitution, I want you to clearly define it and distinguish it from 'privilege'.

Sri Kadidal MANJAPPA.—Can the Hon'ble Member give me at least a few hypothetical cases of 'contempt'?

Sri V. P. DEENADAYALU NAIDU.—How I wish the Hon'ble Minister had a copy of the May's Parliamentary Practice?

Sri A. V. NARASIMHA REDDY (Bangalore South).—I think you concluded that point yesterday. You are now reopening it and trying to argue.

Sri V. P. DEENADAYALU NAIDU.—I wish to know if my friend has understood a word of mine. I have taken the trouble to go through the rules of all the Legislatures in India and also our Constitution. I am just reading the Constitutional provision. Article 194 (3) I am reading with regard to powers, privileges and immunities of State Legislatures and their members—

“In other respects, the powers, privileges and immunities of a House of the Legislature of a State”

We are now trying to define what is “privilege” and what is “contempt.” Let us define it. Until that is done it is stated that we must look back to the House of Commons in the United Kingdom. What does the House of Commons say? They say privilege is distinct from contempt. I want you to understand that privilege is something distinct from contempt. Does not Sri Kadidal Manjappa think it is necessary to dwell on that?

Sri A. V. NARASIMHA REDDY.—Yesterday you had concluded it and had taken up another point.

Sri V. P. DEENADAYALU NAIDU.—I am not going to bore you with repetition. I am not going to say anything different from what is stated here. I want to tell you that there is a necessity to incorporate in this particular provision not merely what is ‘privilege’ but also what is ‘contempt.’ The punishment for contempt is different from punishment for a breach of privilege.

Sri Kadidal MANJAPPA.—We want to know from the Hon’ble Member what is the definition of “contempt” as he is thinking as distinct from “privilege.”

Sri V. P. DEENADAYALU NAIDU.—It should be easy for my learned friend Sri Kadidal Manjappa to understand it. A breach of privilege is more or less akin to a decree that we have taken in a court and we stop without taking further action. What is the use of obtaining a decree if you cannot push it through and put it into action? So far as I understand, breach of

privilege also is similar where you cannot complete what you have in mind. Yesterday I gave that illustration and I did not agree with one particular sentence “that such actions that are often called a breach of privilege are contempts” It is not the same thing. It is something distinct.

Sri Kadidal MANJAPPA.—In other words breach of privilege is a contempt of court?

Sri V. P. DEENADAYALU NAIDU.—It may appear so to a layman. But for a technical man it does not. I need not labour on that aspect.

Sri Kadidal MANJAPPA.—I have understood you now.

Sri V. P. DEENADAYALU NAIDU.—It may often be called so. But it is something different. You will see that the privileges of a Legislature would be entirely ineffectual. All that I wish you to bear in mind is this. Let us not dwell on hair splitting arguments. Let the provision be comprehensive enough so that nobody escapes when he commits contempt.

There is another aspect and I said about that yesterday and that is the question of language.

Sri Kadidal MANJAPPA.—You had already finished it.

Sri V. P. DEENADAYALU NAIDU.—I have. But let it not escape your memory also. The Constitution says that English will continue for 15 years only. Now we have passed through 11 years and there are three or four years left. If there is no suitable amendment, English language or the right to speak in English in this House fades away, even without our taking notice of it.

Sri Kadidal MANJAPPA.—Please see the proviso.

Sri V. P. DEENADAYALU NAIDU.—article 210 of the Constitution refers to the Language to be used in the Legislature. Clause (2) of the article states:

“Unless the Legislature of the State by law otherwise provides, this article shall, after the expiration of a period of fifteen years from the commencement of

this Constitution, have effect as if the words 'or in English' were omitted therefrom."

Sri C. M. ARUMUGHAM (Kolar Gold Fields).—That is about the official language.

Sri V. P. DEENADAYALU NAIDU.—Please read. It says "Language to be used in the Legislature."

Smt. VIJAYA RAGHAVENDER RAO (Chitapur).—Which is that book?

10 A.M.

Sri V. P. DEENADAYALU NAIDU.—The Constitution of India, our gospel. With regard to English language that we are using all these years, it says it will continue for 15 years. After that if we do not specifically say regarding its continuance, English will automatically disappear.

What I am just trying to say is there may be a necessity. Not merely "may." There is a necessity that you must define the language. When other legislatures have made bold to do so, it is for us and now to do it.

Mr. DEPUTY SPEAKER.—You may continue after lunch. The House now rises and meets after half-an-hour.

The House adjourned for Lunch at Two Minutes past Ten of the Clock and met again at Thirty-five Minutes past Ten of the Clock.

[Mr. SPEAKER in the Chair.]

Sri V. P. DEENADAYALU NAIDU.—The last point that I want to stress is this. There is a limitation set on questions. It happens more often than not. Even in Parliament, the Lok Sabha, there is a restriction. I ask whether it would be right to put such a restriction on the members. We should relax that particular rule. This is a cardinal right of the member. Let us look back to the Rules of Procedure and Conduct of Business of the Mysore Legislature as they previously existed. There is a provision to this effect: "Provided that no member shall, unless he has obtained the special permission of the Speaker, be permitted to send notice for one session of more than ten

questions." Here you say only ten and no more. The severe restriction against the privilege of a member . . .

Mr. SPEAKER.—I am not saying it. You can increase it to any number you like. There is a restriction.

Sri V. P. DEENADAYALU NAIDU.—Whoever be the framers of the previous rules of the erstwhile Mysore Assembly, they had set an innovation. In the normal circumstances, it should not be more than ten. But it should not be tightened. It may be that I may be able to convince the Speaker and ask his permission to move my eleventh or twelfth question which may be more important than the others. Those ten questions may become subsidiary or un-important. The 11th or the 12th question at the time of the sessions may be more important. With the permission of the Chair, it should be possible to relax the rules by permitting one or two more questions to be put. Therefore, I think this is a very salutary provision—with the permission of the Speaker to be obtained, he can send notice for one session of more than ten questions.

Commending this provision, Sir, I say that in general, if I started by saying we must scrap this report, the conclusion is that we can go on without any rule, because by framing such rules, we are doing more harm. What is wanted is how we should conduct ourselves and how the Speaker conducts the House with orderliness in this House, is what matters and not what the rules are. Therefore, I know that very often it is by conventions, and by practice rather than by rules that we do our business here. Therefore, there is one thing that in spite of your efforts you have not been able to do in this House. You have been good enough to say—"you may speak in any language with the permission of the Chair". There also, yesterday I pointed out my reactions to that question and I would not like to waste any more time on that. Languages should be so described that they should not admit of any doubt. It must be incorporated. You have been good enough to allow certain languages. You may say Telugu is my language and I may be permitted to speak in that

(SRI V. P. DEENADAYALU NAIDU)

language. One Speaker may permit it. Another Speaker may say that he is not prepared to listen to me in Telugu. What is my position if I do not know any other language? Secondly, you have been good enough to say that we can from time to time make certain representations. I am grateful to you for keeping the doors always open for member. But it may be that one day I may become the Speaker one day and I may say, 'I am not prepared to see any member'.

Sri M. C. NARASIMHAN (Kolar Gold Fields).—Such a thing cannot happen.

Sri V. P. DEENADAYALU NAIDU.—Why not?

Mr. SPEAKER.—I am sure that when you become the Speaker, you will be more broad-minded than myself.

Sri V. P. DEENADAYALU NAIDU.—I would visualise a position though it may not be always practicable and feasible. We must think of a method by which we must conduct the business on the floor of the House as far as possible in a decent manner. Otherwise that would not be fitting and that would not be in tune with the dignity of the House. It may be that we may abuse our position and take advantage of many situations.

Therefore Sir, I would like to draw your attention to one point. The valuable right of moving cut motions has not been properly taken advantage of by this House, though I am fully conscious—that in Lok Sabha no cut motions are moved by members belonging to the treasury benches. But are the cut motions taken full advantage of and given the fullest freedom? because we have in several cases several specific points to discuss. Government has a policy and I say under the cut motions of a specific nature, we can suggest an alternative policy. We have therefore, to evolve a proper procedure to see that the method of cut motion is taken best advantage of. It is there that we justify our existence here. I can give one concrete case relating to my own constituency. It is very necessary to have a high school in my constituency and the Government policy is that Rs. 33,000

must be donated by a philanthropic gentleman. My area is so poor that I am not able to collect even three pies. Am I to go without this high school? This is a particular instance where I have to think of an alternative policy for the Government to start an institution. If on such occasions if we have not the fullest freedom to ventilate our grievance and request the Government to have an alternative policy, I think we would not be justifying our position here. There may be similarly several such things in respect of other constituencies. Therefore, it is necessary that we must think of cut motions not in the same old stereotyped manner, but it must be viewed from the standpoint of allowing a fair opportunity to the member to ventilate his grievance and vindicate his right in the House.

I have taken much longer than I should and I am very grateful to the Speaker for this opportunity.

Mr. SPEAKER.—Next speaker will be Sri Arumugham and before Sri Arumugham commences his speech, I have to refer to a matter which is agitating in my mind. I had told the House yesterday that I would be willing to give more time for the consideration of this Report. On looking into the time table, I find it is rather impossible for me to find time. That is why, I propose that this Report should be adopted and at the same time I would like to give chance to as many members as possible provided the members try to be as brief as possible; we will have to work extra hours today if the Hon'ble Members are willing. As all the Hon'ble Members know that 13th was declared a holiday on the understanding that we will be willing to work half-an-hour longer every day so that we would make up the time lost. In that case, supposing, we sit today up to 1-30, I think, we should be able to adopt the Report and rise.

Sri C. M. ARUMUGHAM (Kolar Gold Fields).—Mr. Speaker Sir, before I place my points on this, I would like to submit to the Speaker that these Rules that we are going to adopt now will bind us. Therefore, there should be no time limit on this. On these Rules, we are going to act, and I just wish to bring

to your notice that with respect to the discussion no the drafting of the Constitution, there was no time limit, because it was going to bind the entire country. Therefore, I request the Speaker to extend the time for the consideration of a subject like this. I do not think that the Speaker or the Chairman or whoever presides over a debate on this Report will have any power to restrict the time.

Mr. SPEAKER.—I appreciate the sentiment, but time cannot be extended like that. After all, we have to do certain things at certain times and aking that into consideration, I have told you that I am willing to sit up to 1-30. If the Hon'ble Members feel, I can also propose an alternative and that is we may rise at 12-30 and meet again at 3-30 and sit up to 6-30. I think that will give more time for Hon'ble Members to express their views. In any case, we have to adopt the Report today.

Sri J. B. MALLARADHYA (Nanjangu).—Sir, I would like to submit that some of us are committed to certain work. Without any sense of self-importance I would like to say that I have sent in a number of amendments to the Rules and I would like to speak on them, but I have to attend a meeting of the Syndicate which is fixed at 3' 0 clock today to declare results. In fact I missed one meeting at which the results had got to be passed because the session was in the morning. I am not trying to say that my presence here is necessary. Since I have sent in a number of amend-ments, I would like the Hon'ble Speaker to consider whether it would not be possible to get an independent day to discuss this if there are enough speakers. I am only making a personal representation.

Mr. SPEAKER.—We shall see.

Sri C. M. ARUMUGHAM.—I was told that this Rules of Procedure was copied from the Punjab Legislature or Lok Sabha. But, those legislatures copied it from the House of Commons. We are working under a written Constitution whereas the United Kingdom has no written Constitution. Therefore, to regulate their functioning, the U.K. needs an elaborate 'Rules of Procedure'. Since we

are working under a written Constitution there is no need for repetition of the same provisions in the Rules of Procedure.

Sri M. C. NARASIMHAN (Kolar Gold Field).—Our written Constitution itself prescribes that we should follow House of Commons procedure as far as possible.

Sri C. M. ARUMUGHAM.—Yes, Sir. In the Definition clause it has been mentioned about the Ministers and members but nothing about the Speaker or the Deputy Speaker. Are these persons above these rules? I want to bring to the notice of the House that these persons are appointed by the House. Therefore this House has every right to frame rules for the conduct of the Speaker or the Deputy Speaker.

Mr. SPEAKER.—These rules are not only for ministers and members but also for the Speaker.

Sri C. M. ARUMUGHAM.—Mr. Speaker, with due respect to you, I would like to say that this should pertain to the Speaker and the Deputy Speaker. It is not the report of the Congress party or the ruling party. It is the report of the House itself. We frame rules to conduct ourselves and therefore there must be a rule for the conduct of the Speaker and the Deputy Speaker. We should define as to how he should behave and all that.

Mr. SPEAKER.—After all . . .

Sri C. M. ARUMUGHAM.—You want to interrupt me, Sir?

Mr. SPEAKER.—I want to understand what you want to speak. If you want definition of the Speaker, I understand your point of view. If you say that there should be rules of conduct for the Speaker, these Rules of procedure apply to the Speaker as well.

Sri C. M. ARUMUGHAM.—We have got every power since we are the appointing authority of the Speaker.

Mr. SPEAKER.—Let us not have some fanciful ideas. If you feel any additional rules must be framed you can say so.

Sri C. M. ARUMUGHAM.—Sir, you are the permanent Speaker. Whatever we may say it may affect . . .

Sri J. B. MALLARADHYA.—What exactly my friend means by 'permanent Speaker'.

Mr. SPEAKER.—Permanent Speaker means permanent Speaker.

Sri M. C. NARASIMHAN.—Is it the desire of the Hon'ble Member that you should be made permanent

Sri C. M. ARUMUGHAM.—Even if you look into the House of Commons, they simply say Mr. Speaker. There is no definition for that. We must also frame some code of conduct for the Speaker. That is what I mean. In the absence of any definition, I tried to know the meaning from the dictionary. There I find that the word Speaker means, he who speaks before an audience, he who presides over a legislature. But I am told by some friends who had gone to the House of Commons that the Speaker is he who speaks little and he who speaks nothing is the Speaker.

Sri M. C. NARASIMHAN.—How could that be a definition? He who does not speak, is not a Speaker at all.

Mr. SPEAKER.—He only means the Speaker should be a dumb man.

Sri C. M. ARUMUGHAM.—Not dumb There should be an understanding or some rule to govern the conduct of the Speaker. These rules are a double edged weapon. We are giving enormous power and there is no check unless we bring in no-confidence motion. Therefore, it is better there is a sort of understanding. If we give such powers into the hands of the Speaker, sometimes he may allow five minutes to a member and to another member one hour, and like that. If it is questioned, it would be replied that it is the discretion of the Speaker. That sort of thing should not be there.

In regard to adjournment motions, sometimes the Speaker may call a member to his chamber and disallow it and sometimes he may read it in the House.

Sometimes he allows a member to speak and asks the Minister concerned to give a statement. I feel that there must be a sort of conduct for the Speaker also.

11 A.M.

Mr. SPEAKER.—I must correct the Hon'ble Member because he seems to be under a misunderstanding. To put it humorously, even the Speaker has some method in his madness. I have

explained why I have done this or why I have done that. Especially in the case of Adjournment Motions I have clearly explained why I disallow some in my Chamber and why I bring some here.

Sri C. M. ARUMUGHAM.—I am not not referring to you, Sir.

Mr. SPEAKER.—I am also not speaking about myself, but I am only telling you that that is the procedure everywhere.

Sri Kadidal MANJAPPA.—I wish to draw the attention of the Hon'ble Member to articles 178 to 181 of the Constitution which prescribe the powers and responsibilities of the Speaker and Deputy Speaker.

Sri C. M. ARUMUGHAM.—Anyway, there is no definition of Speaker, and my suggestion is that there must be some definition. I request the Chair not to take all that I say as a reflection upon him. I am not here to call for explanation from the Speaker in regard to what he has done in the past. I am only concerned with what he is going to do in future. My only submission is that, while framing these rules, we can add some sections or omit some sections in the light of experience.

A member has been defined as a member of the Assembly. Rule 5 says :

“A member who has not already made and subscribed an oath or affirmation, in pursuance of article 188 of the Constitution, can do so at the commencement of a sitting of the Assembly on any day after giving previous notice in writing to the Secretary.”

A member is defined as a member of the Assembly and when he is a member of the Assembly, there is no need to take oath. Before a candidate duly elected is called a member he has to go through a sort of ceremony in taking of the oath. Before he takes the oath, he is not considered to be a member though he is a returned candidate.

Mr. SPEAKER.—That is not the correct position. A person, though elected in the General Election and declared as returned by the Returning

Officer, is still not a member of the House until a notification under Section 73 of the People's Representation Act is issued. In the case of a bye-election, a person becomes a member as soon as he is declared elected by the Returning Officer.

Sri C. M. ARUMUGHAM.—Before a returned candidate takes the oath or affirmation, he is not called a member.

Mr. SPEAKER.—The oath has nothing to do with it. As soon as a notification under Section 73 of the People's Representation Act is issued, he becomes a member but he will not be entitled to draw the salary until he takes the oath.

Sri C. M. ARUMUGHAM.—Before he takes the oath, he cannot elect the Speaker.

Mr. SPEAKER.—That is a matter of procedure.

Sri C. M. ARUMUGHAM.—The definition of 'member' must be a little more clear.

Mr. SPEAKER.—That definition is taken from the Lok Sabha Rules.

Sri C. M. ARUMUGHAM.—We cannot copy the Lok Sabha Rules in every respect. After all, they have copied from the House of Commons.

Sub-rule (2) of Rule 7 is all right; the proviso is not necessary. The Speaker may say that they have copied it from the Lok Sabha Rules.

Rule 11 says :

"When by reason of illness or absence from India or for any other sufficient cause, the Speaker is unable to exercise any of his powers or discharge any of his functions, he may by order in writing delegate to the Deputy Speaker such of his powers and functions as he may deem fit. He may likewise revoke any such delegation."

Members know that if the Speaker wants to resign he sends his resignation to the Deputy Speaker and if the Deputy Speaker wants to resign he sends his resignation to the Speaker. When the Speaker wants to go abroad, instead of giving the discretion to the Speaker to delegate his powers and functions to the Deputy Speaker, the

House must have the opportunity to delegate them to the Deputy Speaker since both the Speaker and the Deputy Speaker are elected by this House.

Mr. SPEAKER.—These functions are of a departmental character. Of course, the Constitution lays down that the Deputy Speaker represents the Speaker when he presides over the House. The difficulty arises when the Speaker is either ill or goes to some foreign country and due to certain unavoidable circumstance is unable to attend to his duties. In the absence of the Speaker, somebody must be there to look after his work such as attending to questions, resolutions, etc. So, this power is necessary and if on such occasions the House is not sitting, the position will be very difficult.

Sri C. M. ARUMUGHAM.—Now alone we should foresee and give certain powers to the Deputy Speaker.

Mr. SPEAKER.—Usualty when the House is not sitting, the Speaker may go out of Bangalore. In order to meet that contingency this provision has been made.

Sri C. M. ARUMUGHAM.—Rule 115 says :

"When a Bill is passed by the Houses and is in possession of the Assembly, the Bill shall be signed in duplicate by the Speaker and presented to the Governor provided that in the absence of the Speaker from Bangalore the Secretary may, in case of urgency, authenticate the Bill on behalf of the Speaker."

Then why should we have the Deputy Speaker? The Deputy Speaker should not work at the mercy of the Speaker. He must have some powers. He is appointed by the House. If the Speaker is not in Bangalore let the Deputy Speaker sign and send it to the Governor. In the Lok Sabha also they have the same practice as ours. Most probably they might have copied it from the House of Commons. We elect Deputy Speaker on the same footing as the Speaker.

Mr. SPEAKER.—I am very sorry that since I am the presiding officer I cannot go on giving explanations every now and then. Because I happen to be the Chairman of the Committee and also the presiding officer there is some trouble. But if explanations are often called for, I am prepared to be in the box and give explanation. So far as this point is concerned, the Deputy Speaker is elected on the same basis as the Speaker. Everywhere it is the same case. This provision in the rule that in the absence of the Speaker, the Secretary may authenticate the Bill is only meant to avoid the trouble of getting the Deputy Speaker who is often away from this place. But supposing I am away on a tour in foreign countries; at that time I authorise the Deputy Speaker and then there is no question of the Secretary signing on behalf because in my place the Deputy Speaker will be acting. This envisages a case when I am not in Bangalore and the Deputy Speaker also is not in Bangalore and there is an urgency that the Bill should reach the Governor in time. It is purely a ministerial act.

Sri C. M. ARUMUGHAM.—Whatever it is, the House must make a provision that if the Speaker is not in Bangalore the Deputy Speaker will sign and if the Deputy Speaker is not in Bangalore, it may be authenticated by the Secretary.

Mr. SPEAKER.—Functions of the Speaker will not be delegated to the Deputy Speaker when the Speaker is in India. The contingency arises only when the Speaker goes out to foreign countries. At that time the Speaker will delegate his powers to the Deputy Speaker. When the question of delegating power to the Deputy Speaker is not there, there is no question of any other alternative. Since it is purely a mechanical and ministerial function a provision has been made that the Secretary should authenticate the Bill. Of course he cannot authenticate anything beyond what has been passed by this House. If he does that, it will be dereliction of his duties.

Sri C. M. ARUMUGHAM.—Since you are in the Chair as Speaker I do not know whether I should take it as a

ruling or final explanation. Anyway what I feel I must say. We must know what are the functions of the Speaker and the Deputy Speaker.

Mr. SPEAKER.—The Constitution is there.

Sri C. M. ARUMUGHAM.—Constitution never mentions about the functions of either the Speaker or the Deputy Speaker.

Mr. SPEAKER.—The function of the Speaker is to preside.

Sri C. M. ARUMUGHAM.—It is only the House that is going to frame the rules. These rules of procedure are not made for Sri Kanthi or Sri Thimma Bovi; they are for the Speaker and the Deputy Speaker and for the House. They must be made crystal clear.

Coming to rule 189—so far they have not been able to make such a procedure. It says :

“(1) The seat of a member shall be declared vacant, under clause (4) of article 190, of the Constitution, on a motion, by the Leader of the House or by such other member to whom he may delegate his functions in this behalf.”

Here, in the definition, ‘Leader’ means the ‘Chief Minister or any member of the Council of Ministers appointed by the Government as Leader of the Assembly’. The Chief Minister was pleased to say that the Chief Minister was appointed by the Governor. I shall just read article 164 :

“(1) The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor.”

Therefore the understanding behind that clause is that the Chief Minister is directly selected and appointed by Governor. In normal circumstances he must appoint a person who has the support of a majority in the Assembly. Which is the majority party? The Congress forms the majority party and so the Governor has to appoint a

person belonging to the Congress Party. This is the provision made in the Constitution. As per this therefore the Leader is one who has got the support of a majority and who has been elected by the majority party. There is absolutely no mention about the Opposition Leader at all. The Speaker used to say now and then that when the Leader of the House and Leader of the Opposition speak other members should not speak. I want to know where is any mention of Opposition Leader here.

Where is the definition for Opposition Leader?

Sri A. V. NARASIMHA REDDY.—We shall write out a book for that.

Mr. SPEAKER.—Where is the definition for the Leader of the House?

Sri C. M. ARUMUGHAM.—It is not properly defined. Therefore, moving of a motion by the Leader of the House will not be relevant. Then why should it not be moved by the Leader of the Opposition? When a member is absent from the House, he writes to the Speaker for permission. It is the Speaker who knows whether a member is absent with permission or without permission. But if a member is absent without permission for 60 days the Constitution says "The House may declare his seat vacant.", which is correct. Therefore, the proposition should be made that the Speaker should move or any member with the consent of the Speaker may move. The Leader of the House is defined in the Constitution as the leader who is elected by the majority party in the Legislature. Now the Congress Chief Minister is there. What guarantee is there that when a member is absent from the Congress Party, he is absent with the...

Mr. SPEAKER.—I want to be enlightened by you on one point. Please show me where it is defined in the Constitution itself. What is meant by the Leader of the House? What is meant by the Leader of the Party? Please do not confuse the Leader of the Party with the Leader of the House. The leader of the Party will generally be the Leader of the House. But not necessarily so.

Sri C. M. ARUMUGHAM.—Because, it is there. "The Chief Minister will be appointed..." However, I will read another portion as to how the leader should be appointed. Here it says that "the Chief Minister should have a Cabinet which should work together..."

Mr. SPEAKER.—What are you reading from? I am looking into the Constitution, whereas you are reading something else.

Sri C. M. ARUMUGHAM.—From a commentary on the Constitution.

Sri Kadidal MANJAPPA.—Who is the author?

Sri C. M. ARUMUGHAM.—What does it matter? Let it be X Y Z.

Sri Kadidal MANJAPPA.—When the Hon'ble Member is referring to some book, I am entitled to know who is the author?

Sri C. M. ARUMUGHAM.—Mr. Shukla.

Mr. SPEAKER.—I am looking into the Constitution and you are reading the commentary! (*Laughter*)

Sri C. M. ARUMUGHAM.—Leader of the House is not defined anywhere in the Constitution. But an understanding must be there. Indeed Sri Jatti has been appointed as the Leader of the House, because he was appointed as the Leader of the Congress Party. You know what all happened. It is not mentioned in the Constitution.

Regarding rule 189, Sir, a vacancy shall be declared by the Leader of the House or by such other member to whom he may delegate his functions in this behalf. The House should do it. Why should it be the Leader of the House? If the Leader of the House has the power to delegate this function to be done by some other member, why should it be delegated to somebody else, when there is the Leader of the Opposition? I would say let that right be exercised by the Speaker himself. Sub-rule (2) of rule 189 reads as follows:

"If the motion referred to in sub-rule (1) is carried, the Secretary shall cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused."

(SRI C. M. ARUMUGHAM)

Of course, Sri Venkatai Gowda is correct. The power to disqualify a member is vested with the Governor under article 192 of the Constitution. Because he is the authority who demands or calls the voters to elect another person to fill the vacancy. So if a motion is carried, the matter must be referred to the Governor and through him to the Election Commission take steps to fill the vacancy. The Secretary alone cannot do it. But the matter must be referred for a formal approval of the Governor and he must contact the Election Commission to take steps to fill the vacancy.

Another thing, Sir. A Minister means a member of the Council of Ministers and it includes a Deputy Minister and a Parliamentary Secretary. Nowhere in the Constitution has anything been stated about the Parliamentary Secretary. Is it the intention of the House to have Parliamentary Secretaries? Can we presume that the Government is going to appoint Parliamentary Secretaries? In the Parliament they can appoint,.....

Sri J. B. MALLARADHYA.—We like to know whether there is at the back of the mind of the Government a proposal to appoint Parliamentary Secretaries in our State?

Sri Kadidal MANJAPPA.—At present there are no Parliamentary Secretaries. But there may be a need for Parliamentary Secretaries. Just at present, there is no intention to appoint any Parliamentary Secretary.

Sri J. B. MALLARADHYA.—Why should the words “Parliamentary Secretary” be in our rules, *i.e.*, so far as it relates to our Rules of Procedure? What is the appropriation of including that expression?

Sri C. K. RAJAIAH SETTY (Chick-naikanahalli).—It clearly shows that there is some motive.

Sri Kadidal MANJAPPA.—I may bring to your notice that even in State there are Parliamentary Secretaries. They are called Parliamentary Secretaries.

Mr. SPEAKER.—I will read a portion of the rule from the Lok Sabha Rules:

“Minister means a member of the Council, a Minister of State, a Deputy Minister or Parliamentary Secretary.” It has been copied from the Lok Sabha Rules.

11-30 A.M.

Sri C. K. RAJAIAH SETTY.—Should it not be as applied to the State, Sir?

Mr. SPEAKER.—I will explain the position. In spite of the fact that the House takes the power to include the Parliamentary Secretaries in Ministers, the power still vests with the Government to appoint Parliamentary Secretaries. Parliamentary Secretaries appointed by the Government can function in this House and can answer questions. The power can also be delegated to them so far as Ministers are concerned. But they cannot take part in the other House of which they may not be Members. In order to enable the Parliamentary Secretaries to take part in the other House, we have included Parliamentary Secretaries in the category of Ministers. If the Parliamentary Secretary is appointed and the oath of office is taken before the Chief Minister, he will be merely a Parliamentary Secretary. He can only sit here and function as Parliamentary Secretary on behalf of the Minister. But by including him in the category of a Minister, he will have to take his oath before the Governor and he will have the right to sit in the Upper House of which he may not be a member. So, if he happens to be the member of the Upper House, he can come over here, sit and function as Minister. This will give an added weight so far as the functioning of the Government business is concerned. That is why that has been included here. In the Lok Sabha, he is included in the Council of Ministers for this purpose.

Sri J. B. MALLARADHYA.—The Hon'ble Minister said just now, there was no intention of taking Parliamentary Secretaries.

Sri Kadidal MANJAPPA.—Just at present, I said.

Sri C. M. ARUMUGHAM.—So far as ‘No Confidence motion’ against the

Ministers are concerned, most of the members are on the Congress side. There is no need for them to fix it at 30. It is better they prescribe a lesser number than 30. I am surprised to see why there should be 40 for the Speaker. Even in the Lok Sabha it is put at 50 for the Ministers and 50 for the Speaker also. Why this extraordinary distinction here. Nobody will move non-confidence motion against the Speaker here. Anyway most of us are always in favour of the Speaker and even the Ruling Party. Therefore, there is no need to put 40 for the Speaker. It must be on par with the Minister and it must be lesser than 40. It need not be 40. It is common knowledge that during the last two years that we are here, nobody has ever attempted to bring any no-confidence motion either against the Ministers or against the Speaker.

With these few words, I should say that this is almost a double-edged weapon which may go against the Members also. It would be for the Speaker to regularise all these things and take the opinion of the Members. It is also a caution to the person who is going to preside as Deputy Speaker or Chairman, to adhere strictly to what is mentioned here. I have done, Sir.

Sri M. C. NARASIMHAN.—I am only referring to the motion before the House moved by Sri Kadidal, Sir. I have got to bring to your notice something in relation to that.

Mr. SPEAKER.—It appears that you have some difficulty about the last motion. That is not before the House at present. That stage comes later.

Sri C. K. RAJAI AH SETTY (Chik-naikanahalli).—Mr. Speaker, many of my good friends have brought to the notice of the House so many alterations and so many modifications to be made to the Rules. But I am surprised to see that on many occasions, the Members are prohibited from mentioning certain names. For instance, tax evaders. In open court, you hear arguments on both sides, and mention of names even. I do not know how it is put here in this manner:

“36 (d): it shall not bring in any name or statement not strictly necessary to make the question intelligible;”

If there is anything *sub judice* about it, I can understand that. Otherwise, I do not know why there should be any restriction about mentioning names in their proper context. If in a particular case, heavy sums in the shape of arrears of taxes are due to the Government from a certain person, nothing should prevent announcing the names of defaulters to Government, unless it is *sub judice*. Members should have scope to give names whenever there is something; where there is tax evasion, where there is loss of property by the action of a certain member, in such cases, if names are given, I do not think there is going to be any loss either morally or legally. It is rather highly embarrassing to the members and I think this rule requires modification.

Mr. SPEAKER.—That is the rule everywhere. That is the present rule in every Assembly. Names are not announced. The Hon'ble Members are entitled to know the amount of arrears.

Sri G. VENKATAI GOWDA (Palaiyam).—If names are announced, it will have the desired result, Sir. There must be scope to give out names wherever necessary.

Sri C. K. RAJAI AH SETTY.—I am telling you an occasion where the Government was slow to take action or had not taken any action and it had resulted in loss. It is for the Members of the House to know whether Government has done its duty. For instance, if Government has not taken any action and if there is any individual against whom there is heavy accumulation of Government dues, I think it involves no loss to the Government if such names are mentioned on the floor of the House. It is a question of justice and the Government should tell this House and show to this House that they have acted justly.

Mr. SPEAKER.—The member should not be interested in knowing the names. They should be interested in knowing only the arrears, the number of defaulters, and matters like that.

Sri V. SRINIVAS SHETTY (Coondapur).—We would be interested to know how far the Government is diligent in collecting the amount, etc. A defaulter may be a close relative of the Minister; so, are we not entitled to know all that?

Mr. SPEAKER.—In such cases you can say that the concerned person is a close relative of the Minister but you cannot ask for the name unless it is absolutely necessary to make the question intelligible.

Sri G. VENKATAI GOWDA.—Supposing the concerned man is a defaulter. How does it prevent the Government from disclosing the name?

Mr. SPEAKER.—It is not the Government. It is I who have prevented it because when I felt that it was not correct, I have not allowed it. I had discussion with different Speakers on this point and I think I am correct. There is a lot of support for my view. I cannot also understand why the members are so particular to drag in the names of outsiders instead of looking to broad facts.

Sri G. N. PUTTANNA (Tumkur).—I have sent in an interpellation. You have disallowed the question. One of the leading persons concerned is a member of the Congress Party and he has defalcated some amount.

Sri G. SIVAPPA (Chitradurga).—I may quote many instances wherein the relations of the other parties.....

Mr. SPEAKER.—This is the reason why I do not allow names to be revealed. After all we are here to correct the administration; to see whether it is favourable to some and unfavourable to others without mentioning the names. If we once start giving out names we may go to the extent of quarrelling amongst ourselves. Therefore I have always tried to avoid giving out names. In other legislatures also the names will not be allowed to be given, unless it is absolutely necessary to make the question intelligible.

Sri H. V. KOUJALGI (Sampagoan I).—To mention the names of all the defaulters is one thing and to put more supplementaries which may be defamatory or which may require some explanation, is another thing. So,

what I submit is mentioning of mere names may be allowed. Such a question once arose in Bombay. A question was framed to know the names of High Court Judges who held liquor permits. The question was allowed and names were given but no supplementaries were allowed on it.

Mr. SPEAKER.—I must correct my Hon'ble friend. Though he was a member of the Bombay Assembly, he seems to carry a different impression. I was also present on that occasion. What happened was, when the answer was given the Speaker was taken by surprise because the names were disclosed. Soon after he rose up and said that it was wrong. From that time onwards he did not allow even a single name to be given.

Sri C. K. RAJAI AH SETTY.—The majority of members of this House desire that names should be disclosed wherever there is no *sub-judice*.

Rule 44 (2) says:

“After a question has been answered any member may put a supplementary question for the purpose of further elucidating any matter regarding which an answer has been given.”

What I wish to submit is, you have stated here ‘may put a supplementary’. This is really an unfortunate aspect because the member who has put the question will know the exact circumstances of a particular locality or his constituency and he should be given more chances to elicit answers. But, here what happens is, before the member has put a question and it is answered somebody gets up and knocks away the chance thereby the party loses his chance. It is therefore necessary that at least some time limit should be fixed or the number of questions that a member might put, must be made clear.

Mr. SPEAKER.—Sri C. K. Rajaiah Setty, please go to Andhra and see.

Sri C. K. RAJAI AH SETTY.—Our Assembly is far advanced.

So, by adding the letter ‘a’ here, the scope is limited very much. At least you must strike that letter ‘a’ and correct it as ‘supplementaries’.

There is no necessity for the letter 'a'. There should be scope for the man who puts the question.

Then, I come to the question of moving No-confidence Motions against the Ministry or against the Speaker. The Hon'ble Minister who moved this motion said that we have followed the Lok Sabha Rules. Why have you taken the number as one-fifth and why could you not have taken it as one-tenth? You are curtailing the rights of the Opposition by doing so. Supposing there are only 21 members. Where is the scope for the Opposition to raise such matters at all? They will have to depend upon the mercy or grace of the Speaker. You must give a chance for the Opposition to express their views. Why are you curtailing the power of the Opposition to ventilate their grievances? It is not yet too late to mend matters. This point should be looked into. My Hon'ble friend Sri Srinivasa Shetty has also made out this point and Government should gracefully accept the amendment that is proposed to be moved in this behalf. Therefore, it is necessary that the required number should be reduced to one-tenth. If you want to bury the Opposition once and for all, you may as well say 'the number of Opposition members plus one'. Thereby the ruling party and the Speaker can forget the existence of the Opposition. Therefore, this rule requires amendment and the wording should be 'not exceeding one-tenth'.

As some of my Hon'ble friends said yesterday, I do not understand why copies of Adjournment Motions should be given to the Speaker, to the Secretary and to the Minister concerned. I do not know whether the Speaker is different from the Secretary. Whenever we address a letter to the Secretary, it is deemed to be addressed to the Speaker. It is nothing but a reflection upon the working of the Legislature Secretariat that we have to bring such matters to the notice of the Speaker in addition to the notice of the Secretary. The Legislature Secretariat should be vigilant that whenever something important crops up, it is for the Secretary to convey it to the Speaker immediately. Suppose you go abroad,

the Deputy Speaker is also absent, somebody else will be in the Chair and the proceedings of the House will go on. Even then we have right to give motions, etc. So, it is enough if we address only to the Speaker. That looks more business-like. With these remarks, I close my speech.

*Sri M. RAMAPPA (Harihar).—Mr. Speaker, Sir, this Special Committee consisted of very experienced members of this House and you have presided over this Committee. You have got very rich experience, having been a member of the Bombay Legislative Assembly and being the Speaker now. I would submit that this Special Committee seems to have lost sight of the fact that these set of rules are meant not only for the guidance of this House and that in these rules we are defining the rights and privileges of the members of this House in general as also the rights and powers of the Speaker. If we take the sum total of the effect of these rules, we will find that they have to a very great extent curtailed the powers and privileges of the members of this House. I would not mind if these rights are taken away and vested in the Speaker, but unfortunately according to these rules very vast powers are to be vested in the Treasury Benches. I would like to point out the provisions which would take away the rights of the members and vest them in the Treasury Benches instead of in the Speaker. Certain discretion has been given to the Speaker which invariably has to be exercised not in favour of the entire House or the members but only in favour of the Treasury Benches. With these general observations, I would like to point out some provisions in support of my argument.

Rule 48 reads :

"A member who desires an immediate reply to a question of an urgent nature shall give notice of it to the Secretary. After the Speaker has admitted the question in the original or amended form, he shall advise the member to ascertain from the Minister in charge of the Department.

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concerned whether he agrees to give an immediate reply to the question. If the Minister concerned agrees, the question may be asked and answered in the Assembly on any day convenient to him, even though the replies to it have not been previously received in the Assembly Office or have not been placed on the tables of the members as provided in rule 41. In other respects the procedure for short notice questions shall be the same as for ordinary starred questions."

From this rule it will be seen that the right is reserved with the Minister concerned and not with the Speaker. Why should this right be given to the Treasury Benches and not to the Speaker? I would request the Hon'ble Minister for Revenue to take note of this fact and reconsider it. This is the first instance where the right of the Speaker is taken away and vested in the Treasury Benches. Let the Speaker direct the concerned Minister to give a reply.

12 NOON.

Coming to rule 51, page 17—some members have made a reference to this rule. According to this rule three copies are to be made and given to the Speaker, the Minister and the Secretary. This rule to a great extent physically obstructs the members to send in adjournment motions because we have got limited resources without men and material at our command. We have not got typewriters. Here time has not been given. I shall read rule 51:

"Notice of an adjournment motion shall be given before the commencement of the sitting on the day on which motion is proposed to be made to each of the following:—

- (i) the Speaker,
- (ii) the Minister concerned, and
- (iii) the Secretary."

According to this rule it is sufficient if we give notice at the commencement of

the sitting on a day and we are expected to give three copies. We are prepared to give it one hour earlier than commencement of the sitting but we should be allowed to give only one copy. Let the office type it and send it on to the concerned Minister and to the Secretary because we have not got typewriters here. We have to necessarily write it in our own hand. I therefore request the Member in charge to reconsider this rule and allow us to give only one copy.

Sri J. B. MALLARADHYA.—I would like to read the provision in regard to Short Notice Question:

"A question relating to a matter of public importance may be asked with notice shorter than ten clear days and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and, if so, on what date."

Here instead of the Speaker directing the Minister to inform whether he is prepared to reply, you ask us to wait at the doors of the Minister and approach him whether he is prepared to reply. Supposing I go to the Minister and he says: 'ಇಲ್ಲರಿ, ಸಾಧ್ಯವಿಲ್ಲರಿ' ಹೀಗೆ ಹೇಳಿದರೆ ನಾವು ಏನು ಮಾಡಬೇಕು? ಅಧ್ಯಕ್ಷರು ಹೇಳಿದರೆ ಅದಕ್ಕೆ ಬೇರೆ ಪಾಸ್ತಿ ಇರುತ್ತದೆ ಎಂದು ನನ್ನ ಭಾವನೆ.

Sri M. RAMAPPA.—I made a reference to rule 48. We need not copy Lok Sabha practice. But let the Speaker be vested with any amount of power and not the Treasury Benches. I only oppose the rule on the ground that unfortunately the Speaker is not vested with such powers but the Treasury Benches are vested with those powers. Rule 48 has therefore to be deleted.

Mr. SPEAKER.—If the member feels like that he may give an amendment.

Sri J. B. MALLARADHYA.—I have sent in ten amendments.

M SPEAKER.—These rules are a little bit of an improvement on the present position. I cannot admit any Short Notice Question unless the Minister concerned agrees to reply. I take the power of making an enquiry

whether the concerned Minister is going to reply to the Short Notice Question. I am not going to the Minister for the purpose of ascertaining whether I should admit it or not. That is the position and it is an improvement. I understand that the members may experience some difficulty so far as their approaching the Minister in this matter is concerned. In that case I have absolutely no objection if the members want my office or me to make an attempt in this direction. I am afraid it may mean some delay. That is why it is better that the members make an attempt. But we may amend it by saying that a reference should be made by the Speaker himself. At the same time, informally members also may make an attempt. I have heard Hon'ble Members about rule 51 also. If it is their intention that they cannot give notices to all these persons they may also give an amendment. These minor changes we can accept. I find every member is harping on rule 51 and also with regard to the number of persons subscribing to a no-confidence motion.

Sri C. K. RAJAIAH SETTY.—That is only the right of the Opposition.

Mr. SPEAKER.—Opposition members are not here merely to remove the Cabinet or the Treasury Benches or to remove the Speaker. They are here for much better work. I am sure members of the Opposition have realised their duties.

Sri K. KENCHAPPA (Hiriyur).—I heard the Hon'ble Speaker with care to the effect that if a short notice question is to be sent, the Speaker will consult the Minister. There it ended. Suppose the Speaker admits the question and consults the Minister whether he is giving an answer and suppose the Minister refuses to give the answer, what is the position?

Mr. SPEAKER.—It would be converted into an ordinary question. Everywhere, Lok Sabha included, the position is, if the Minister refuses to answer any short notice question as a short notice question, the only alternative for the Speaker is, he has to convert it into an ordinary question. "If the Minister concerned agrees, the question may be asked and

answered in the Assembly on any day convenient to him, even though the replies to it have not been previously received in the Assembly Office or have not been placed on the tables of the members as provided in rule 41. In other respects the procedure for short notice questions shall be the same as for ordinary starred questions."

Sri K. KENCHAPPA.—If the Speaker admits and the Minister refuses, if it stops at that, what will be the conclusion? It may be that the Speaker sees that it is proper and the Minister feels that he need not answer. We have got to notice that defect.

Sri J. B. MALLARADHYA.—Sub-rule (3) of rule 54 of Lok Sabha rules reads:

"If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer."

This wholesome rule is omitted to be adopted. Also proviso to sub-section (4) of rule 54 is omitted. I do not know why these are omitted from our rules.

Mr. SPEAKER.—Because, every day they are going on giving notices of questions. Here, if it is a short notice question and the Minister refuses to reply, it will be converted into an ordinary question. There is no doubt about it. But I am willing to make one concession. And that is, even though the number of questions allowed for a member is increased thereby, I will allow it. If it is a short notice question in the opinion of the Speaker and the Minister is not willing to answer it as a short notice question, I am going to make an exception and allow it even though it is the eleventh or the twelfth question in the name of the member.

Sri J. B. MALLARADHYA.—It must be admitted as a question for being answered orally instead of as short notice question.

Mr. SPEAKER.—It will be an oral question. Leave it to me. That power is there with me under the rules. If it is a short notice question in my opinion, and the Minister is not reasonable in replying to the short notice question, I cannot compel.

Sri J. B. MALLARADHYA.—A short notice question is put with the object of getting the answers very early. If the Minister refuses to answer the question, it must be open to the member to have it answered at the earliest.

Sri Kadidal MANJAPPA.—It will be answered in 15 days.

Sri J. B. MALLARADHYA.—If it is to be answered in 15 days, how is a short notice question different from an ordinary question? Some wholesome rules are omitted to be adopted from the Lok Sabha Rules and some others are adopted *in toto*.

Sri Kadidal MANJAPPA.—Even according to the procedure laid down by Lok Sabha, if a Minister refuses to answer a short notice question, then the procedure is the same as prescribed for answering questions set down for oral answers. That means, the ordinary procedure will be followed.

Sri J. B. MALLARADHYA.—The real reason why we are insisting on this is, if the Hon'ble Speaker directs that a short notice question should be answered and the Minister refuses to answer, we will take cover under breach of privilege. The sanctity does not vest in the member. It is the Speaker in whom it is vested.

Mr. SPEAKER.—It is not a breach of privilege. We shall not have such ideas of breach of privilege. I will read 54(3) of Lok Sabha Rules :

“If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under rule 33.”

Sri Kadidal MANJAPPA.—Please read rule 33. It prescribes the duration of the notice. Rule 33 :

“Unless the Speaker otherwise directs, not less than ten clear days' notice of a question shall be given.”

Mr. SPEAKER.—If the Minister does not want to answer it as a short notice question, it means, even in the Lok Sabha, that the question under rule 54 becomes a question under rule 33. It becomes a starred question.

Sri V. SRINIVAS SHETTY.—But it gets the first place.

Mr. SPEAKER.—It does not. It comes under rule 33. He may get that question placed as the first questionunder rule 33.

Sri V. SRINIVAS SHETTY.—As the first question, Sir.

Sri Kadidal MANJAPPA.—The first question after ten days according to Lok Sabha Procedure and after 15 days according to our procedure.

Sri J. B. MALLARADHYA.—The very idea with which a short notice question is tabled is it must be answered expeditiously.

ಅಧ್ಯಕ್ಷರು.—ಪಾರ್ಟಿನೋಟೀಸ್ ಪ್ರಶ್ನೆ ಸಭೆ ಯಲ್ಲಿ ಚರ್ಚೆಯಾಗದೆ ಹೋದರೆ, ಅದನ್ನು starred question ಆಗಿ ಮಾಡಬೇಕೆಂದು ನಿಮ್ಮ ಅಭಿಪ್ರಾಯವೇ?

ಶ್ರೀ ಜಿ. ಬಿ. ಮಲ್ಲಾರಾಧ್ಯಾ.—ಹೌದು.

Sri Kadidal MANJAPPA.—There I agree. After 15 days this is treated as an ordinary starred question which we are bound to answer.

ಶ್ರೀ ಜಿ. ಬಿ. ಮಲ್ಲಾರಾಧ್ಯಾ.—ಈಗ ಮಾಡಿರುವ ರೂಲ್ಸ್‌ನಲ್ಲಿ ಇದಕ್ಕೂ ಅವಕಾಶವಿಲ್ಲವಲ್ಲ ಎಂಬುದು ನನ್ನ ಪ್ರಶ್ನೆ.

ಅಧ್ಯಕ್ಷರು.—ಒಬ್ಬ ಸದಸ್ಯರು ಕಳುಹಿಸಿರುವುದು ಹತ್ತು ಪ್ರಶ್ನೆಗಳಿದ್ದರೂ, ಒಂದು ಅಲ್ಪ ಕಾಲಾವಧಿ ಪ್ರಶ್ನೆಯನ್ನು ಅವರು ಕಳುಹಿಸಿ, ಅದು ಸರಿಯಾದುದೆಂದು ನನಗೆ ಮನವರಿಕೆಯಾದರೆ, ಸರ್ಕಾರ ಅದಕ್ಕೆ ಉತ್ತರ ಕೊಡದೆ ಹೋದರೆ, 15 ದಿನವಾದ ಮೇಲೆ ಅವರು ಅದಕ್ಕೆ ಉತ್ತರ ಕೊಡಬೇಕು. ಹತ್ತು ಪ್ರಶ್ನೆಗಳಿಗೆ ಜಾಸ್ತಿಯಾದರೂ ಇದಕ್ಕೆ ಅವಕಾಶವಿರಬೇಕು.

Sri V. SRINIVAS SHETTY.—What we are saying is : suppose there are ten questions and we may not be able to reach all the ten questions and if we do not reach, supplementaries are not possible. Supposing it is the tenth question.....

Sri M. RAMAPPA.—I will refer to rule 153 about the No-confidence Motion. I am not speaking on the merits. I want to draw your attention more or less to a technical aspect. It has not been said here whether the Members are given any grounds on which he is moving a no-confidence motion. What is said here is :

“153 (2): If the Speaker is of opinion that the motion is in order, he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places and if not less than thirty members rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken up the next day, or within three days thereafter as the Speaker decides. If less than thirty members rise, the Speaker shall inform the Members that he has not the leave of the Assembly.”

Otherwise, it means he can reject. It has not been said here as to what the motion of no-confidence is and that it will be in order. I do not mean to say that it should not be entirely within the discretion of the Speaker. Let there be a form of content of this motion of no-confidence. Otherwise how are we to know whether it is in order or whether it is not in order. It has not been said here at all. It is not only vague. Nothing has been said what no-confidence motion is. In my opinion, a motion of no-confidence is a motion by which we see that the ministry is voted out of office and ventilate the grievance of the legislature or the public in general. That is in my opinion the object of the provision for no-confidence. So in my opinion, the members have necessarily to state the reasons on which they are moving the motion of no-confidence. The form also should be prescribed in the Schedule. Otherwise, how are we to know whether it is in order or not in order? Nothing has been said on what grounds we have to move this motion of no-confidence. I suggest that some form and also the content of the motion has to be prescribed.

Mr. SPEAKER.—It is the same as any other motion. There is nothing special about it. The only point is that it should not be a sort of letter. There should be a motion or a resolution accompanied by a letter as in other cases. Whatever you feel you can put into such a motion. The Constitution does not say that you must have some reason for a motion of no-confidence against the Speaker or against the Ministry. The Constitution only says that a motion of no-confidence may be moved. You need not prescribe any reason at all, but usually you must have some reason. It is an ordinary motion.

Sri M. RAMAPPA.—Now, you are in the Chair. You have vast experience about these things. Tomorrow a new person may occupy your place and when we send a motion of that sort, he may feel, having no experience, that we have not assigned any reason and he may say that it is not in order. So some form has to be prescribed. It is not sufficient to say merely that it should be in order.

Mr. SPEAKER.—That should be in consonance with the Constitution.

Sri G. N. PUTTANNA.—That will be ambiguous.

Mr. SPEAKER.—If you do not have any confidence in the Speaker or Deputy Speaker or Ministry, you can move the motion. I do not see any difficulty at all.

Sri J. B. MALLARADHYA.—Is there any instance where they have moved a no-confidence motion without assigning reason in any Assembly in India?

Mr. SPEAKER.—As a matter of fact, you cannot move a motion without assigning reasons. But the reasons need not be set out in the motion itself. It is just an ordinary motion. You can quote the reasons or you may not quote the reasons.

Sri M. RAMAPPA.—So, I take it that this phrase is in order and that it only refers to the local requirements or technical requirements and no reasons need be assigned.

12-30 P.M.

I now refer to rule 174 (4,5,6) on the Appropriation Bill. I see some innova-

(SRI M. RAMAPPA)

tions because I do not find such a provision in the present rules. This provision curtails the scope of discussion and rights of the members also. In the existing set of rules we do not have such a provision whereas we are now trying to impose a lot of limitations just to curtail the scope of discussion. So, all these provisions may conveniently be deleted.

I would like to bring to your notice that no provision has been made about the presence of Ministers here. As a matter of fact we cannot make an exhaustive rule to cover all contingencies that might arise. It is better to make a provision to the effect that concerned ministers should be present whenever a business pertaining to their portfolio is taken up. It must be only with the permission of the Speaker that a Minister can request some other Minister to answer on behalf of him.

I would like to say something about the election of the Speaker. As per rules here it is by means of a motion. At present the election is held openly. In the interest of good relationship between the Speaker and the members, it is better that election takes place by means of ballot so that the Speaker may not know who are the members that voted for him and who have not voted for him. For instance, if there are two nominations and another man may be from our party or any other party and some independent members may choose to vote for the Congress candidate. The Speaker should not know that they have opposed his candidature. So, let there be a secret ballot so that the Speaker may not be a party man after election. When he is expected to be an impartial man, it is necessary that election of Speaker should take place by ballot and not by motion.

Thank you, Sir, for accepting my suggestion.

Sri J. B. MALLARADHYA.—With your permission, I will move the amendment in respect of rule 48.

Sri G. VENKATAI GOWDA.—Originally we were given a circular that non-official resolutions would be taken

up on 28th. Now we have received another circular that they would be taken up on the 17th. I want to know whether it would be taken up on Monday or Tuesday.

Sri Kadidal MANJAPPA.—If the members are anxious to further discuss the rules, the only alternative would be to take it up on Monday with a definite understanding between us that the non-official business would be taken up on Tuesday and on subsequent days the Bills

Sri J. B. MALLARADHYA.—Sir, on the order of business they have put down the Electricity Board, Gorwala's Report and Second Five-Year Plan for discussion. I do not know whether Government is going to make a motion in respect of them. We are completely in the dark as to how we are going to discuss them. Suddenly at 10 o'clock I find some notice to the effect that some business is going to be taken up the next day.

Sri Kadidal MANJAPPA.—Till the 29th there is business. Later on, it is for the members to decide whether we should sit after 29th and, if so, for how many days?

Sri M. C. NARASIMHAN.—Sir, during the last budget session there was a proposal that there should be a general discussion on the Second Five-Year Plan. Discussion on the working of the Electricity Board, Sharavathi Project, etc., will be confined only to particular departments and general discussion in relation to the economic situation cannot be taken up under these headings. I would therefore like to have a clarification whether there would be a general discussion on the Second Five-Year Plan or the discussion would be confined only to the particular departments.

Sri J. B. MALLARADHYA.—I approached the Government with a request to kindly give us progress reports departmentalwise in respect of every scheme and I understand that Government is likely to give that information. If that is furnished discussion can take place. If no information is given and if no facts are furnished, discussion will be absolutely in the air.

Mr. SPEAKER.—May I know whether Government has promised to do so?

Sri Kadidal MANJAPPA.—I do not know whether the Hon'ble Member has approached the Chief Minister with his request. Anyhow, as I have already said, this programme is only till the 29th and we can decide later on.

Mr. SPEAKER.—What about supplying the information the Hon'ble Member has asked for?

Sri Kadidal MANJAPPA.—I will have to discuss it with my other colleagues.

Mr. SPEAKER.—If it is feasible, a short statement may be issued.

Sri Kadidal MANJAPPA.—They are entitled to know what is happening. Therefore, if possible we will comply with the request of my Hon'ble friend.

*ಶ್ರೀ ಜಿ. ಎಸ್. ಪುಟ್ಟಣ್ಣ (ತುಮಕೂರು).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ನಾಲ್ಕೈದಾರು ಸಾರಿ ಎದ್ದು, ಮುಖ್ಯಮಂತ್ರಿ ಬಹಳ ಇಂಟರವ್ಸ್ ಆಯಿತು, ಒಳ್ಳೆಯದು. ನಾನು ಹೆಚ್ಚು ಹೊತ್ತು ಮಾತನಾಡುವುದಿಲ್ಲ. ನಮ್ಮ ಉದ್ದೇಶ ಇರುವುದು ದೇಶಕ್ಕೆ ಒಳ್ಳೆಯದಾಗಬೇಕು ಎನ್ನುವುದು ಮತ್ತು ಅಸೆಂಬ್ಲಿ ಕಾರ್ಯಕಲಾಪಗಳು ಸುಗಮವಾಗಿ ನಡೆದುಕೊಂಡು ಹೋಗಬೇಕು, ಯಾರಿಗೂ ತೊಂದರೆ ಆಗಕೂಡದು ಎಂಬ ಉದ್ದೇಶ ದಿಂದ ಮಾಡಿದ್ದೀರಿ ಎಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಮಂತ್ರಿಗಳಿಗೂ ನಿಜವಾಗಿ ಆ ಭರವಸೆ ಇದೆ ಎಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಹಾಗಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ನಾನು ಮೂರೇ ರೂಲುಗಳ ಮೇಲೆ ಮಾತನಾಡುತ್ತೇನೆ. 34ನೆಯ ರೂಲ್ ಪ್ರಕಾರ unstarred questions ಎಷ್ಟು ಬೇಕಾದರೂ ಕಳುಹಿಸುವುದಕ್ಕೆ ಒಬ್ಬ ಮೆಂಬರಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟರೆ ಬಹಳ ಒಳ್ಳೆಯದು. ಏಕೆಂದರೆ ದೊಡ್ಡ ದೊಡ್ಡ ಅಫೀಸರುಗಳು ಇರುತ್ತಾರೆ, ಅನೇಕರು ಕೆಲಸ ಮಾಡುವುದಿಲ್ಲ, ಅಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಈ ರೀತಿ ಪ್ರಶ್ನೆಗಳು ಹೋದರೆ, ಇಂಥವರು ಪ್ರಶ್ನೆ ಕಳುಹಿಸಿದ್ದಾರೆ, ನಿಯೋಗಿ ಕೆಲಸ ಮಾಡಬೇಕು ಎಂದು ಅವರಲ್ಲಿ ಒಂದು ಭಯ ಹುಟ್ಟುತ್ತದೆ. Unstarred Questions limit ಮಾಡುವುದಕ್ಕೆ ಕಾರಣವೇ ಇಲ್ಲ.

ಶ್ರೀ ಕದಿದಾಳ್ ಮಂಜಪ್ಪ.—ಲಿಮಿಟ್ ಮಾಡಿಲ್ಲ.

ಶ್ರೀ ಜಿ. ಎಸ್. ಪುಟ್ಟಣ್ಣ.—ಬಹಳ ಸಂತೋಷ. 36(d). ಇದರಲ್ಲಿ ಏನು ಅರ್ಥವಿದೆಯೋ ಗೊತ್ತಾಗುವುದಿಲ್ಲ. ಹೇಳಿದರೆ ಒಂದು ತರಹ ಕಷ್ಟ, ಹೇಳದಿದ್ದರೆ ಒಂದು ತರಹ ಕಷ್ಟ. ಒಂದು ಏಟಿನಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಹೇಳಬೇಕಾಗಿದ್ದರೆ, ಒಬ್ಬರಿಂದ ಒಂದು ಲಕ್ಷ ಟಿಲ್ಲರೆ ರೂಪಾಯಿ ಬರಬೇಕಾಗಿದೆ ಎಂದು ಖಚಿತವಾದ ಸಮಾಚಾರ ಗೊತ್ತಾಗಿದೆ. ಇನ್ನೊಂದು ಏಟಿನಲ್ಲಿ ಎರಡು ಲಕ್ಷ ಟಿಲ್ಲರೆ ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾಗಿರುವುದನ್ನು ನಿಷ್ಕಾರಣವಾಗಿ ರೈಟ್ ಆಫ್ ಮಾಡಿದೆ. ಇನ್ನೊಂದು ಕಡೆ ಯಾರೋ ಒಬ್ಬ ಸ್ಕಾರ್ಪಿ ಡಾಕ್ಟರ್ ಆಸ್ಪತ್ರೆ ಯಲ್ಲಿ ಸತ್ತಿದ್ದಾರೆಂದು ನರ್ಸ್‌ಗಳೇ ಮಾಡಿ ಇನ್‌ಷೂರೆನ್ಸ್ ಪಾಸ್ ಮಾಡಿಸಿದರು ಎಂಬ ಸಮಾಚಾರ ಬಂತು, ಮೆಫೈ ಮಾಡಿದ ಮೇಲೆ ಆರೀತಿ ಮಾಡಿದ್ದು ನಿಜ ಎಂದು ಗೊತ್ತಾಯಿತು. ಹೆರ್ಟ್ ಮಿನಿಸ್ಟರಿಗೆ ಒಂದು ಕಾಗದ ಬರೆದು ಆರು ತಿಂಗಳಾಯಿತು. ಅವರು ನಿಮ್ಮ ಕಾಗದ ಬಂತು, the matter is receiving

attention ಎಂದು ಜವಾಬು ಕೊಟ್ಟರು. ಅದೇ ನಾಗಿದೆಯೋ ಹೆಣ್ಣೋ, ಗಂಡೋ ಗೊತ್ತಾಗಲಿಲ್ಲ. ಅದಕ್ಕೆ ಜವಾಬು ಇಲ್ಲ; ಏನೂ ಇಲ್ಲ! ಈಚೆಗೆ ಈ ಹೆರ್ಟ್ ಮಿನಿಸ್ಟರಿಗೆ ಬಂದ ಮೇಲೆ ಖುದ್ದಾಗಿ ಹೋಗಿ ಅವರಲ್ಲಿ ಹೇಳಿಕೊಂಡೆ. ನಾನಿದನ್ನು ಹೇಳುವುದರಲ್ಲಿ ಯಾರನ್ನೂ ಆರೋಪಿಸುತ್ತಿದ್ದೇನೆಂದು ಭಾವಿಸಿಕೊಂಡರು. ವಿಷಯವನ್ನು ಮಾತ್ರ ಅರಿಕೆ ಮಾಡುತ್ತಿದ್ದೇನೆ. ಅವರಿಂದಲೂ ಕೊನೆಗೊಂದು ಕಾಗದ ಬಂತು. ಅದರಲ್ಲಿ ಹೇಳುತ್ತಾ:

“Your letter relating to Dr. Puttanna authorising an invalid person to be authorised to be passed for insurance is received. The matter is receiving attention.”

ಎಂದು. ಅದನ್ನು ನೋಡಿ “ನಾನು ಯಾವಾಗಪ್ಪಾ ಡಾಕ್ಟರ್ ಆಗಿದ್ದೆ” ಎಂದು ಗಾಬರಿಯಾಯಿತು. ತಿರುಗಿ ಮಂತ್ರಿಗಳಿಗೆ ಬರೆದೆ, ಅವರು ಮಾಡಿರುವ ತಪ್ಪನ್ನು ತಿಳಿಸಿ. ಇಲ್ಲಿಗೆ ಹತ್ತು ತಿಂಗಳಾದವು. ಅದೇನಾಯಿತು, ಏನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡರು ಎಂಬುದು ಒಂದೂ ಗೊತ್ತಾಗಿಲ್ಲ.

ಇನ್ನೊಂದು ಕಡೆ, ಒಬ್ಬ ದೊಡ್ಡ ಅಫೀಸರು; ಅವರನ್ನು transfer ಮಾಡಿ, “ಸರ್ಕಾರದ ದುಡ್ಡನ್ನು ದುರುಪಯೋಗ ಮಾಡುತ್ತಿದ್ದಾರೆ” ಎಂದರೆ ಅವರನ್ನು ಈವರೆಗೂ ಮಾತಾಡಿಸಿಲ್ಲ. ಇನ್ನೊಂದು ಕಡೆ, ಒಬ್ಬ ಭಾರಿ ಅಫೀಸರು ಸರ್ಕಾರವನ್ನು ನುಣ್ಣಿಗೆ ಬೋಳಿಸುತ್ತಿದ್ದಾರೆ. ಇದರ ವಿಚಾರ ಸಭೆಯ ಮುಂದೆ ತರಬೇಕೆಂದು ನಿಮಗೆ ಹೇಳಿದರೆ:

“Government Servants cannot defend themselves in the Assembly. So this is disallowed.”

ಎಂದು ಹೇಳುತ್ತೀರಿ. ಕೊನೆಗೆ ಏನು ಮಾಡುವುದೆಂದು ಸೆಕ್ರೆಟರಿಯವರಿಗೆ ಹೇಳಿದ್ದಕ್ಕೆ, ಅವರು “ಮಂತ್ರಿಗಳಿಗೆ ಬರೆಯಿರಿ, ಒಂದು ತಿಂಗಳೊಳಗೆ, ಎರಡು ತಿಂಗಳೊಳಗೆ ನಿಮಗೆ ಉತ್ತರ ಬರದಿದ್ದರೆ ಆಮೇಲೆ ಅಸೆಂಬ್ಲಿಯ ಮುಂದೆ ತನ್ನಿ, ಪ್ರಶ್ನೆ ಹಾಕಿ” ಎಂದು ಹೇಳಿದರು. ನನ್ನ ಉದ್ದೇಶವಾದರೋ ಇನ್ನೊಬ್ಬರ ಹೆಸರನ್ನು ತಂದು ಅವರಿಗೆ ಗಾಬರಿ ಪಡಿಸಬೇಕೆಂದಿಲ್ಲ. ದೇಶದ ದುಡ್ಡನ್ನು ತಂದು ಅನಾಹುತ ಮಾಡುವವರನ್ನು ಸರ್ಕಾರದವರ ಗಮನಕ್ಕೆ ತಂದು ಅವರನ್ನು ಹತ್ತೊಳುಗೆ ತರಬೇಕೆಂದು. ಈ ದೃಷ್ಟಿಯಿಂದ ನಾನು ಐದು ಆರು ಕಾಗದಗಳನ್ನು ಬರೆದಿದ್ದೇನೆ. ಕಾಗದ ಬರೆದಿದ್ದಕ್ಕೆ acknowledgment ಏನೋ ಬಂತು. ಆದರೆ, ಉತ್ತರ ಮಾತ್ರ ಇದುವರೆಗೂ ಇಲ್ಲ. ನಾನು ಹೇಳುವ ಸಂದರ್ಭಗಳೆಲ್ಲಾ ಮುಕ್ಯಾಲು ಪಾಲು ಸರ್ಕಾರದ ಲೋಕ ತೆಗೆದುಕೊಂಡು ಬಡ್ಡಿಯನ್ನೇ ಕೊಟ್ಟಿಲ್ಲದಿರುವವರದು. ಬಾಂಡುಗಳ ಕಾಲ ಕೂಡ ಆಗಿದೆ, ಅನಲಗೆ ಮೋಸವಾಗಿರುವಾಗ ಇನ್ನು ಬಡ್ಡಿಯಿಲ್ಲದೆ ಬರುವುದು! ಈ ರೀತಿಯಾಗಿ ದೇಶದೊಳಗೆ ಮಾಡುವವರ ಹೆಸರುಗಳನ್ನು ಅಸೆಂಬ್ಲಿಯ ಮುಂದೆ ತರಕೂಡದೆಂದು ಹೇಳುವುದರಲ್ಲಿ ಅರ್ಥವಿಲ್ಲ.

ಇನ್ನೊಂದು ವಿಚಾರ. ನಾನು ಹೇಳುತ್ತಿದ್ದೇನೆಂದು ಶಿವಪ್ಪನವರು ಕೋಪಿಸಿಕೊಂಡು ಏಳಬೇಕಾಗಿಲ್ಲ. ನಾನು ಹೇಳುತ್ತೇನೆ, ಒಬ್ಬ ಕಾಂಗ್ರೆಸ್ ಲೇಡರು ಒಂದು ಲಕ್ಷ ರೂಪಾಯಿಗಳನ್ನು ಕೊಡಬೇಕಾಗಿದೆ. ಅವರ ಹೆಸರನ್ನು ಹೇಳುವುದಿಲ್ಲ.

ಶ್ರೀ ಬಿ. ಶಿವಪ್ಪ (ಚಿತ್ರದುರ್ಗ).—ಸ್ವಾಮಿ, ಕಾಂಗ್ರೆಸ್ಸಿನವರೆಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ. . . .

Sri G. N. PUTTANNA.—I am not yielding. ಅವರು ಕಾಂಗ್ರೆಸ್ಸಿನವರು, ನಿಜ. ಅಂದಮಾತ್ರಕ್ಕೆ ಕಾಂಗ್ರೆಸ್ಸಿನವರಿಗೆಲ್ಲ ಅದು ಅನ್ವಯಿಸುತ್ತದೆಂದು ಶ್ರೀ ಶಿವಪ್ಪನವರು ತಿಳಿದುಕೊಳ್ಳಬೇಕಾಗಿಲ್ಲ. ಕಾಂಗ್ರೆಸ್ಸಿನಲ್ಲಿ ಸತ್ಯರುಷರು, ದೊಡ್ಡ ಬುದ್ಧಿಯುಳ್ಳವರು, ಸತ್ಯವಂತರು ಇದ್ದಾರೆ. ಆದರೆ, ಅವರ ಮಧ್ಯೆ ಕೆಲವರು ನೀಚರು ಸೇರಿಕೊಂಡು ಅಂಥ ದೊಡ್ಡ ಸಂಸೆಗಳೇ ಕಟ್ಟಿ ಹೆಸರು ತರುತ್ತಿದ್ದಾರೆ. ನಾನೂ ಕಾಂಗ್ರೆಸ್ಸಿನಲ್ಲಿದ್ದೆವು. ಇಂಥ ಕಟ್ಟು ಜನ ದೇಶಕ್ಕೂ ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಗೂ ಹೀಗೆ ದೋಷ ಮಾಡುತ್ತಿರುವಾಗ ಅಂಥವರ ಹೆಸರನ್ನು ಈ ಸಭೆಯಲ್ಲಿ ಹೇಳುವುದರಲ್ಲಿ ತಪ್ಪೇನು! ಅಕಸ್ಮಾತ್ ಒಬ್ಬ ಬಡ ನೌಕರ ಅಲ್ಪ ಸ್ವಲ್ಪ ದುಡ್ಡು ತಿಂದಿದ್ದರೆ, ಒಬ್ಬನ ಹತ್ತಿರ ಕಾಫಿ ತೆಗೆದುಕೊಂಡು ಕುಡಿಯುತ್ತಿದ್ದರೆ ಅಂಥವನನ್ನು ಅಂಟಕರಪಕ್ಷವನ್ನವರಿಂದ ಹಿಡಿಸಿ ಡಿಸ್‌ಮಿಸ್ ಮಾಡಿಸುತ್ತೀರಿ. ಹೀಗಿರುವಲ್ಲಿ ಇವರು, ಗಾಂಧಿ ಮಹಾತ್ಮರ ಹೆಸರು ಹೇಳಿಕೊಂಡು ಹಣ ನುಂಗುತ್ತಿದ್ದರೆ, ಅವರನ್ನು ಕಳುವವರು, ಹಿಡಿಯುವವರು ಯಾರು? ಕಾಂಗ್ರೆಸ್ಸಿನವರೆಂದು ನನಗೆ ಅವರ ಮೇಲೆ ದ್ವೇಷವೇನಿಲ್ಲ. ಆದರೆ ಕಾಂಗ್ರೆಸ್ಸಿಗೆ, ದೇಶಕ್ಕೆ ಈ ರೀತಿ ದೋಷ ಮಾಡುವವರನ್ನು ಕಂಡರೆ ನನಗೆ ಸಹಿಸಿ ಕೊಂಡಿರುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಇಂಥ ವಿಚಾರಗಳ ನೆಲೆ ಮನಸ್ಸು ಮಂತ್ರಿಗಳು ವಿಚಾರ ಮಾಡದೆ ಇದ್ದರೆ, ಅವರ ಹೆಸರುಗಳನ್ನು publish ಮಾಡದೆ ಇದ್ದರೆ ಅನೇಕ ಅನಾಹುತಗಳು ದೇಶದಲ್ಲಿ ನಡೆದಾವು! ಬಡನೌಕರನೊಬ್ಬ ಮಾಡಿದರೆ ಅಂಟಕರಪಕ್ಷವನವರನ್ನು ಕರೆಸಿ ಅವನು ಹಾಗೆ ಮಾಡಿದ, ಹೀಗೆ ಮಾಡಿದ ಎಂದೆಲ್ಲ ಹೇಳುವುದೇಕೆ! ಅವನ ಹೆಸರು ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಬರುತ್ತದೆ! ಆದರೆ ಇಂಥ ದೇಶದೋಷ, ಕುಲದೋಷ ಮಾಡುವವನಾದರೆ ಎಲ್ಲವೂ ನಿಂತು ಹೋಗಬೇಕೇ! ಒಬ್ಬ ಎಕ್ಸ್‌ಪ್ರೆಸ್ ಕಂಟ್ರಾಕ್ಟರನು. ದೊಡ್ಡ ಬಂಗಲೆಯಲ್ಲಿದ್ದು ಕೊಂಡು ಗ್ಯಾಲನ್ನಿಗೆ ಎಂಟು ಮೈಲು ಕೊಡುವ ಕಾರಿನಲ್ಲಿ ಹೋಗಿಕೊಂಡಿರುವವನು ದುಡ್ಡು ತಿಂದರೆ write off ಮಾಡುವುದೆಂದರೆ ಏನು! ಚಿತ್ರದುರ್ಗ ಕೋ-ಆಪರೇಟಿವ್ ಸೊಸೈಟಿಯಲ್ಲಿ 48,000 ರೂಪಾಯಿಗಳ misappropriation ಆಗಿದೆಯೆಂದು ಹೇಳಿ ಹೆಸರು ಕೊಟ್ಟಿರಿ. ಅದಕ್ಕೆ ಮಾತ್ರ ಹೆಸರು ಕೊಡಬಹುದು, ಇನ್ನೊಂದಕ್ಕೆ ಮಾತ್ರ ಕೊಡಕೂಡದೆ!

ಅಧ್ಯಕ್ಷರು.—ತಾವು ಹೇಳಿದ್ದು ನಿಜ. That is a mistake. That was not brought to my notice. I discovered it and cancelled the whole thing.

ಶ್ರೀ ಬಿ. ಎಫ್. ಪುಟ್ಟಣ್ಣ.—ಆಗಲಿ, ಒಪ್ಪಿಕೊಂಡೆ. ಆದರೆ, ತಾವು ಅಥವಾ ಸರ್ಕಾರದವರು ನಿಜವಾಗಿಯೂ ದೇಶಕ್ಕೆ ದೋಷ ಮಾಡಿದವನೊಬ್ಬನ ಹೆಸರು ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಬರಬೇಕೆಂದು ಹೋಗುತ್ತಿರುವುದಕ್ಕೆ ಅವಕಾಶ ಎತ್ತಿರುವಾಗ, ಅಂಥವರ ಹೆಸರು ಈ ಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ಬರಕೂಡದೆಂದು ಹೇಳುವುದಾದರೆ ಹೇಗೆ? ಆ secret ಗಳೆಲ್ಲಾ ಬಹಿರಂಗವಾಗಿ ದೇಶದೋಷ ಕಡಮೆಯಾಗಬೇಡವೇ!

ಅಧ್ಯಕ್ಷರು.—Secret ಹೊಂಗೆ ಬರಲಿ. ಆದರೆ ಹೆಸರು ಬೇಡ.

ಶ್ರೀ ಬಿ. ಎಫ್. ಪುಟ್ಟಣ್ಣ.—ಹೆಸರು ಬಂದೆ ಇದ್ದರೆ, secret ಹೇಗೆ ಹೊಂಗೆ ಬರುತ್ತದೆ? ನನಗೆ ಗೊತ್ತಿರು

ವಂತೆ ಒಬ್ಬ ಕಾಂಗ್ರೆಸ್ಸಿನವನು ಒಂದು ಲಕ್ಷ ಹತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಕೊಡಬೇಕಾಗಿತ್ತು. ಅವರ ಮೇಲೆ ನಾವು ಪ್ರಶ್ನೆ ಕೇಳಿದರೆ ತಾವು ಯಾವ ಕ್ಲಾಜನ್ನೂ ನೂಟಿಸದೆ, ಯಾವ ರೂಲನ್ನೂ ತೋರಿಸದೆ ಅದನ್ನು disallow ಮಾಡುತ್ತಿದ್ದೀರಿ. ಹೆಸರನ್ನು ಹೇಳದೆ ಹೇಗೆ ತರುವುದು! ದೇಶದ ದುಡ್ಡನ್ನು ಉಳಿಸುವುದು ಹೇಗೆ? “ತೋಳ ಕುರಿ ಕಾಯೋ” ಎಂದರೆ “ಸಂಬಳವಿಲ್ಲದೆ ಕಾಯುತ್ತೇನೆ” ಎನ್ನುವಂತೆ ಕೆಲವು ಜನ ಕಾಂಗ್ರೆಸ್ಸಿನಲ್ಲಿ ಸೇರಿಕೊಂಡು ದೇಶದ ಹಣ ನುಂಗುತ್ತಿದ್ದಾರೆ. ಇಂಥವರಿಗೆ ತಾವು protection ಕೊಡುವುದೇ!

ಅಧ್ಯಕ್ಷರು.—ಕೊಡುವ protection ಕಾಂಗ್ರೆಸ್ಸಿನವರಿಗೆ ಮಾತ್ರ ಅಲ್ಲ; ಯಾರಿಗೇ ಆದರೂ ಅದು ಅನ್ವಯಿಸುತ್ತದೆ.

ಶ್ರೀ ಬಿ. ಎಫ್. ಪುಟ್ಟಣ್ಣ.—ನಾನು ಹೇಳುವುದು, ಯಾರನ್ನೂ ಬಡಬೇಡಿ. ಯಾರು ದೇಶದೋಷ ಮಾಡುತ್ತಾನೆ, ಸಾಲ ತೆಗೆದುಕೊಂಡು ಅಸಲು, ಬಡ್ತಿ ಎರಡಕ್ಕೂ ಮೋಸ ಮಾಡುತ್ತಾನೆ, ಅವನನ್ನು ಶಿಕ್ಷೆಗೊಳಪಡಿಸಬೇಡವೇ!

ಅಧ್ಯಕ್ಷರು.—ನಾನಿಲ್ಲ ನ್ಯಾಯಾಸ್ಥಾನದಲ್ಲಂತೆ, ಪ್ರತಿಯೊಬ್ಬರನ್ನೂ ಕರೆಸಿ ನಿಜವು ಮಾಡಿದ್ದೀರಾ ಇಲ್ಲವೇ ಎಂದು ಕೇಳಿ ಸಾಕ್ಷ್ಯ ತೆಗೆದುಕೊಂಡು ಶಿಕ್ಷೆ ವಿಧಿಸುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ನಾನು ಕೆಲವು ನಿಯಮ, ನಿಬಂಧನೆಗಳು ಮೇಲೆ ಕೆಲಸ ಮಾಡಬೇಕಾಗಿದೆ. ಅವುಗಳಿಗನುಸಾರವಾಗಿ ನಾನು ನಡೆಯುತ್ತಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ತಾವು ಏನೇ ಹೇಳಿದರೂ ಕೂಡ ನಾನು ಒಪ್ಪಲಾರೆ. ನಾನು ತಳೆದಿರುವ ನಿಲುವು ಸರಿಯಾದದ್ದೆಂದು ನಾನು ತಿಳಿದಿದ್ದೇನೆ.

ಶ್ರೀ ಬಿ. ಎಫ್. ಪುಟ್ಟಣ್ಣ.—ನಿಮ್ಮ ಮೇಲೆ ನಾನು ಆಪಾದನೆ ಮಾಡುವುದಿಲ್ಲ. ನಮ್ಮ ಮೇಲೆ ನಾನು ಆಪಾದನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತಿದ್ದೇನೆ. ಏಕೆಂದರೆ ಈ ರೂಲ್‌ನ್ನು ಮಾಡುವವರು ನಾವು.

ಅಧ್ಯಕ್ಷರು.—ಇದೇ ರೀತಿಯ ರೂಲ್ಸ್ ಎಲ್ಲಾ ಕಡೆಯಲ್ಲೂ ಇವೆ. ಎಲ್ಲಾ ಕಡೆಯಲ್ಲಿರುವುದನ್ನು ನೋಡಿಯೇ ನಾವೂ ಮಾಡುತ್ತಿರುವುದು. ತಾವು ಬೇರೆ ಯಾವ ಪ್ರಶ್ನೆಯನ್ನಾದರೂ ಕೇಳಬಹುದು. ಹೆಸರುಗಳನ್ನು ಯಾವ ರೀತಿ ಕೇಳಬೇಕು ಎಂಬ ನಿಯಮವಿದೆ. ಆ ರೀತಿ ಮಾಡಬಹುದು.

ಶ್ರೀ ಬಿ. ಎಫ್. ಪುಟ್ಟಣ್ಣ.—ಶ್ರೀ ಆರ್ಮುಂಗಂ ಅವರು ಹೇಳಿದವರಿಗೆ ಈ ಬಗ್ಗೆ ನಿರ್ದಿಷ್ಟವಾದ ವಿಧಾನವನ್ನು ಏರ್ಪಡಿಸುವುದು ಅವಶ್ಯಕ. ಬೇರೆ ಕಡೆಯಲ್ಲಿ ಏನೇ ಇರಬಹುದು. ಮೈಸೂರು ದೇಶದಲ್ಲಿ ಈ ರೀತಿ ಜನ ದೇಶವನ್ನು ನುಂಗುತ್ತಿರುವಾಗ ಅದನ್ನು ಸರಿಪಡಿಸುವ ಬಗ್ಗೆ ಇಲ್ಲಿ ಅವಕಾಶಕೊಡುವುದರಲ್ಲಿ ತಪ್ಪೇನು! ಕೋರ್ಟಿನಲ್ಲಿ ಹೆಸರುಗಳು ಬರುವುದಿಲ್ಲವೇ! ನಿಮ್ಮ ಪುನ ಹೆಸರೇನು! ನಿಮ್ಮ ತಂದೆಯ ಹೆಸರೇನು? ಎಂದೆಲ್ಲಾ ಕೇಳುವುದಿಲ್ಲವೇ! ಹೀಗಿರುವಾಗ ಇಲ್ಲಿ ಮಾತ್ರ ಹೇಳ ಕೂಡದು ಎಂಬುದರಲ್ಲಿ ಅರ್ಥವೇನು?

ಅಧ್ಯಕ್ಷರು.—ಇದು ಮೈಸೂರು ಅಸೆಂಬ್ಲಿಯಲ್ಲೂ, ಎಲ್ಲಾ ಕಡೆಯಲ್ಲೂ ಇದೆ.

ಶ್ರೀ ಬಿ. ಎಫ್. ಪುಟ್ಟಣ್ಣ.—ಆ ಮೇಲೆ ಇವುಗಳನ್ನು ಕೇಳುವುದರಲ್ಲಿ ಅದು ತಿಂಗಳಿಗೆ ಮುಂಚೆ ಕೇಳಕೂಡದು, ಮೂರು ತಿಂಗಳಿಗೆ ಮುಂಚೆ ಕೇಳಕೂಡದು ಎಂದು time limit ಬೇರೆ ಹಾಕಿದ್ದೀರಿ, ಹೀಗೆ ಹೆಸರು ಕೊಡ ಕೂಡದೆಂದು ಎಲ್ಲಿದೆ?

ಅಧ್ಯಕ್ಷರು.—ಈಗ ನಾವೇನು ಮಾಡುತ್ತಿದ್ದೇವೋ ಅದು 36ನೆಯ ರೂಲ್‌ನಲ್ಲಿದೆ. ಇದನ್ನು ರೋಕ

ಸಭಾ ರೂಲ್ಸ್‌ನ 41ನೆಯ ರೂಲ್‌ನಿಂದ ಕಾಪಿ ಮಾಡಿ ತೆಗೆದುಕೊಂಡಿದೆ ಅಷ್ಟೆ. ಬೇಕಾದರೆ ತಮಗೆ ಅದನ್ನು ಒದಿ ತಿಳಿಸುತ್ತೇನೆ. ಅದರಲ್ಲದೆ:

“It shall not bring in any name or statement not strictly necessary to make the question intelligible.”

ಬೇರೆ ಪ್ರತಿಯೊಂದು ಅಸೆಂಬ್ಲಿಯಲ್ಲಿಯೂ ಹೀಗೆಯೇ ಇದೆ.

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—ರೋಕ ಸಭೆಯಲ್ಲಿರ ಬಹುದು; ಪಾರ್ಲಮೆಂಟಿನಲ್ಲಿರಬಹುದು; ಅವರಿಕಾ ದಲ್ಲರಬಹುದು. ಇದರಿಂದ ನಮಗೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತಿದೆ. ಇದು ನಿಮ್ಮ ತಪ್ಪಲ್ಲ. ನಾವು ಮಾಡಿ ಕೊಂಡಿರುವ ರೂಲ್‌ನಲ್ಲಿರುವ ತಪ್ಪು. ಆರು ತಿಂಗಳು ವರೆಗೆ ಕೇಳಕೂಡದೆಂದು ಹೇಳಿದರೆ, ಆರು ತಿಂಗಳು ಬಂಧತ್ತು, ತಿಂಗಳವರೆಗೂ ಮಂತ್ರಿಗಳಿಂದ ಉತ್ತರ ಬರಲಿಲ್ಲವೆಂದರೆ, ದೇಶವನ್ನು ನಾಶಮಾಡುವ ಪಾಪಿಗಳಿಗೆ ಇನ್ನೂ ಜೀವನದಾನ ಕೊಡಬೇಕೆಂತಲೇ? ಆ ಪಾಪಿಗಳನ್ನು ಶಿಕ್ಷೆ ಮಾಡುವುದಕ್ಕೆ ಒಂದು ಅವಕಾಶ ಎರಬೇಕಲ್ಲವೇ? ನ್ಯಾಯವಾಗಿ ಇಂಥ ವಿಷಯಗಳಲ್ಲಿ ಮಂತ್ರಿಗಳನ್ನೂ I.P.C. 109ನೆಯ ಸೆಕ್ಷನ್ ಪ್ರಕಾರ charge ಮಾಡಬೇಕಾಗುತ್ತದೆ.

ಅಧ್ಯಕ್ಷರು.—ಯಾವ ಸೆಕ್ಷನ್ ಅದು?

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—109ನೆಯ ಸೆಕ್ಷನ್, abetmentಗೆ ಸಂಬಂಧಿಸಿದ್ದು. ಅದರಿಂದ ಸರ್ಕಾರಕ್ಕೆ ದ್ರೋಹ ಮಾಡುವವರಿಗೆ ಈ ರೀತಿ ಅವಕಾಶ ಕೊಡಬೇಡಿ.

Sri Kadidal MANJAPPA.—It is not the idea to hush up anything. We have to follow certain conventions prevailing in other Assemblies in India and elsewhere. If the member can bring to my notice any such rule which permits the Government to disclose names under certain circumstances we can concede. There is no such rule in other Houses.

1 P.M.

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—ಸ್ವಾಮಿ, ತಾವು ಹೇಳುವುದು ನಿಜ. ಪ್ರತಿಯೊಂದು ವಿಚಾರಕ್ಕೂ ಸ್ಪೀಕರ್ ಹತ್ತಿರ ಹೇಳಿ, ಎಂದರೆ ಎಲ್ಲವನ್ನೂ ಮಾಡಿಕೊಳ್ಳುವುದರೊಳಗೆ ನಮ್ಮ ಚಿಂತೆ ಮುಗಿದು ಹೋಗುತ್ತದೆ. ಹೆಸರುಗಳನ್ನು ಕೊಡಬಾರದು ಎಂದರೆ ಅದರಿಂದ ಬಹಳ ಅನಾನುಕೂಲಗಳಿವೆ. ನಾನು ಒಬ್ಬ ಸ್ಟೇಟ್ ಆಫೀಸರ ಬಳಿ ಹೋಗಿ ಇಂಥಂಥ ಕೆಲಸಗಳು ನಡೆಯುತ್ತಿವೆ, ಇದನ್ನು verify ಮಾಡಿ, ಇಂಥ ಕೆಲಸಗಳು ನಡೆಯುತ್ತಿರುವುದರಿಂದ ಜನಗಳಿಗೆ ತೊಂದರೆಯಾಗಿದೆ, ಪ್ರಜೆಗಳಿಗೆ ದ್ರೋಹಮಾಡಿದಂತಾಗಿದೆ ಎಂದು ಹೇಳಿದರೆ, ಆ ಮಹಾಪುರುಷ ನಾನು ಯಾರ ವಿಚಾರವಾಗಿ ಹೇಳಿದ್ದೇನೋ. ಅವರ ಸಂಗಡಲೇ ಪುಟ್ಟಣ್ಣನವರು ಹೀಗೆಲ್ಲ ಹೇಳುತ್ತಾರೆಂದು ಹೇಳಿದರು. ಅದನ್ನು ತಡೆದುಕೊಳ್ಳಬೇಕಾದರೆ ಬಹಳ ಕಷ್ಟವಾಯಿತು.

Sri Kadidal MANJAPPA.—There are two clauses which relate to the names. Clause (d) reads “It shall not bring in

any name or statement not strictly necessary...” If it is strictly necessary it is quite possible to bring in the name also. Similarly in clause (h) also it is stated: “It shall not ask as to the character or conduct of any person except in his official or public capacity.”

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—ಹೆಸರುಗಳನ್ನು ಕೊಡುವುದರಿಂದ ತೊಂದರೆ ಏನು? ಇಂಥವರು ಸರ್ಕಾರಿ ಹಣವನ್ನು ತಿಂದಿದ್ದಾರೆ, ಘಾತುಕರಾಗಿ ಬಹಳ ಅನ್ಯಾಯ ಮಾಡಿದ್ದಾರೆಂದು ಜನರಿಗೆಲ್ಲ ಗೊತ್ತಾಗಲ; ಇಂಥ ನೀಚರು ಇದ್ದಾರೆ ಎಂದು ಗೊತ್ತಾಗಲ. ಅದರಲ್ಲಿ ತಪ್ಪೇನು? ಈ ವಿಷಯದಲ್ಲಿ ಬಹಳ ದೂರಾ ಲೋಚನೆಮಾಡಬೇಕು. ಇದರಿಂದ corruption prevent ಮಾಡಿದ ಹಾಗಾಗುತ್ತದೆ, ಕಳ್ಳತನಮಾಡುವವರಿಗೆ ಬೇಕು ಹಾಕಿದ ಹಾಗಾಗುತ್ತದೆ. ಮೂರು ತಿಂಗಳ ಅವಕಾಶವನ್ನು ಕೊಡಿ. You may say that if the Member does not remit the amount within three months' time, the matter will be published in the Assembly.

ಅಧ್ಯಕ್ಷರು.—ಒಂದು ನೋಟೀಸ್ ಬೋರ್ಡನ್ನು ಇಟ್ಟು ಅದರಲ್ಲಿ smugglers ಇತ್ಯಾದಿಯವರ ಹೆಸರುಗಳನ್ನು ಹಾಕೋಣವೇ?

ಶ್ರೀ ಜಿ. ಎ. ಪುಟ್ಟಣ್ಣ.—38ನೆಯ ರೂಲ್ ಪ್ರಕಾರ ಅಧ್ಯಕ್ಷರು ಒಂದು ಪ್ರಶ್ನೆಯನ್ನು disallow ಮಾಡಬಹುದು ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಇದರಿಂದ ಬೇಕಾದ್ದನ್ನು allow ಮಾಡಿ ಬೇಡವಾದ್ದನ್ನು disallow ಮಾಡುತ್ತಾರೆ. ಅಧ್ಯಕ್ಷರು ಇದನ್ನು ದಯ ವಿಟ್ಟು personal ಆಗಿ ತೆಗೆದುಕೊಳ್ಳಬಾರದು.

ನಾನು ಒಂದು ಪ್ರಶ್ನೆಯನ್ನು ಕಳುಹಿಸಿ ಒಬ್ಬ ಮೆಂಬರು ಅಥವಾ ಮತ್ತೊಬ್ಬರು ಎಷ್ಟು ದುಡ್ಡು ತಿಂದಿದ್ದಾರೆ, ದೇಶಕ್ಕೆ ದ್ರೋಹಮಾಡಿದ್ದಾರೆ ಎಂದು ಕೇಳಿದರೆ ಅಧ್ಯಕ್ಷರು ಅದನ್ನು disallow ಮಾಡುತ್ತಾರೆ. ಇದಕ್ಕೆ further remedy ಏನಿದೆ? It cuts at the fundamental root of democracy. ನಾವು ಯಾರನ್ನು ಕೇಳುವುದು? ಇಷ್ಟು ಬಂದವರಿಗೆ ಕೊಡುವುದು, ಬೇಡದೆ ಇದ್ದರೆ ಬಿಡುವುದೇ? ಸರ್ಕಾರಕ್ಕೆ ದ್ರೋಹಮಾಡಿದಂಥವರ ಹೆಸರನ್ನು ತಿಳಿಸುತ್ತೇವೆಂದು ಇದ್ದರೆ ತನ್ನ ಮರ्याದೆ ಹೋಗುತ್ತದ್ದಲ್ಲ ಎನ್ನುವುದರಿಂದಲಾದರೂ ಆತನು ಸರ್ಕಾರಕ್ಕೆ ಕೊಡಬೇಕಾದ ಹಣವನ್ನು ಕೊಡಬಹುದು. ಸ್ವಾಮಿ, ಒಂದು ವಿಷಯವನ್ನು ಹೇಳುತ್ತೇನೆ. ಮಂಡ್ಯದಲ್ಲಿ ಒಬ್ಬ ಡಾಕ್ಟರು ಇನ್‌ಷೂರೆನ್ಸ್ ಕೇಸಿನ ಸಂಬಂಧದಲ್ಲಿ ಮೈಸೂರಿನ ಆಸ್ಪತ್ರೆಯಲ್ಲಿದ್ದವನೊಬ್ಬನಿಗೆ ಸರ್ಜಿಕೊಡಲಾಯಿತು. ಅವನು ಸತ್ತುಹೋದ. ಈತನಿಗೆ ಇನ್‌ಷೂರೆನ್ಸ್ ಕೇಸುಗಳ examination ಮಾಡಬಾರದೆಂದು ಇಂದಿಯಾ ಸರ್ಕಾರದಿಂದ debar ಆಗಿದೆ. ಆದರೆ ಮೈಸೂರು ಸರ್ಕಾರದವರು ಪ್ರವೋಷಣೆ ಕೊಟ್ಟಿದ್ದಾರೆ. ನಮ್ಮ ಸರ್ಕಾರಕ್ಕೆ ನಾಚಿಕೆಯಾದರೂ ಆಗಬಾರದೆ? ಇಂಥವರ ಹೆಸರನ್ನು ಏಕೆ ಪ್ರಕಟಿಸಬಾರದು? ನನಗೊಂದುರಿತಿ, ಮತ್ತೊಬ್ಬರಿಗೊಂದು ರೀತಿ ಹೀಗೆಲ್ಲ ಏಕೆ? ಯಾವನಿಗೆ ಸಿಫಾರಿಸಿನ ಬಲವಿದೆಯೋ ಅವನಿಗೆ ಯಾರ ಹಂಗೂ ಇಲ್ಲ; ಅವನನ್ನು ಕೇಳುವವರೇ ಇಲ್ಲ. ನಾನು ಈ ವಿಚಾರವನ್ನು ಬರಹದ ಮೂಲಕ ತಿಳಿಸಿ ಆರು ತಿಂಗಳಾಗಿದ್ದರೂ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸುಮ್ಮನೆ ಇದ್ದುಹೋಗಿ ಕಾಣುತ್ತದೆ.

(ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ)

ಸ್ವಾಮಿ, ಒಬ್ಬ ಅಧಿಕಾರಿಗಳು ನಮ್ಮ ಭಾಗದಲ್ಲಿ inspection ಗೋಸ್ಕರ ಬರುತ್ತೇನೆಂದು ಬರೆದ ಕಾಗದ ಅವರು ಬಂದು ಹೋದ ಎಂಟು ದಿನಗಳ ಮೇರೆ ನನಗೆ ತಲುಪಿತು. ನಾನೇನಾದರೂ ಅವರ inspection ಕಾಲದಲ್ಲಿ ಹಾಜರಿದ್ದರೆ ತಪ್ಪುಗಳನ್ನೆಲ್ಲ ತೋರಿಸಿಕೊಡುತ್ತೇನೆಂದು ಈ ರೀತಿಯಾಗಿ ಮಾಡಿ ದ್ವಾರೇಂದು ಕಾಣುತ್ತದೆ. ಸರ್ಕಾರದ ಆಡಳಿತದಲ್ಲಿ ಇಂಥ ರೋಪಗಳು ಅನೇಕವಿವೆ. ಸರ್ಕಾರದ ಹಣ ದುರುಪಯೋಗವಾಗುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಡ ಬೇಡಿ. ಯಾವಪಕ್ಷಕ್ಕೆ ಸೇರಿದವರೇ ಆಗಿರಲಿ ದೋಷ ಮಾಡಿದಂಥವರ ಹೆಸರನ್ನು ಪ್ರಕಟಿಸಬೇಕು. ಹೆಸರು ಗಳನ್ನು ಪ್ರಕಟಿಸಬಾರದೆಂದು ತಿಳಿಸಿ disallow ಮಾಡಿದರೆ ಅದಕ್ಕೆ ಪರಿಹಾರವೇನೆಂಬುದು ಗೊತ್ತಿಲ್ಲ.

Mr. SPEAKER.—I have my own method of doing it and I cannot do it arbitrarily.

ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಸ್ವಾಮಿ, ನಾನು ಒಂದು ವಿಷಯವನ್ನು ಹೇಳುತ್ತೇನೆ. ಯಾವನೋ ಒಬ್ಬ ಮನುಷ್ಯ ಸರ್ಕಾರಕ್ಕೆ ದೋಷವಾಡಿರುತ್ತಾನೆ. ಅದು ಮಂತ್ರಿಗಳಿಗೆ ಗೊತ್ತಿರುವುದಿಲ್ಲ. ನನಗೆ ಗೊತ್ತಿರು ತ್ತದೆ. ನಾನೇನಾದರೂ ಇಂಥ ವಿಷಯದಲ್ಲಿ ಒಂದು interpellation ಕಳುಹಿಸಿದರೆ, ತಾವು disallow ಮಾಡುತ್ತೀರಿ, ಇದಕ್ಕೆ ಏನು ಪರಿಹಾರವಿದೆ ಎಂಬುದನ್ನು ದಯವಿಟ್ಟು ತಿಳಿಸಿ.

Mr. SPEAKER.—The only question is, if you put it as an individual case, your question will be disallowed. If you make it a matter of public importance, it will be allowed. ಒಬ್ಬ ಅಧಿಕಾರಿ ಹಾಗೆ ಮಾಡಿದ್ದಾರೆ, ಹೀಗೆ ಮಾಡಿದ್ದಾರೆ ಅಲ್ಲವೇ ಎಂದು ಕೇಳುತ್ತೀರಿ.....

ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಇಂಥ ವರ್ತಮಾನ ಪತ್ರಿಕೆಯಲ್ಲಿ ಇಂಥ ವಿಚಾರ ಪ್ರಕಟವಾಗಿರುವುದು ನಿಜವೇ ಸ್ವಾಮಿ ಎಂದು ಕೇಳಿದ್ದೇನೆ.

Mr. SPEAKER.—No question can be asked of individual officers, unless the question is of public importance. ಅದಿಲ್ಲದಹೊರತು ನಾನು disallow ಮಾಡುತ್ತೇನೆ.

ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ರೂಲ್ 38ರ ಪ್ರಕಾರ refuse ಮಾಡಬಹುದು. 'I don't see you' ಎಂದು ಹೇಳಬಹುದು.

Mr. SPEAKER.—This has nothing to do with the rules. If you feel that I have disallowed under a misconception.....

Sri G. N. PUTTANNA.—Sir, the Hon'ble Speaker has got full power to disallow a question. I personally do not like to go to the Speaker.....

Mr. SPEAKER.—You need not go to the Speaker. What you are saying is not in the interests of parliamentary democracy. If members are under the impression that they should not go to the chambers of the Speaker or the

chambers of the Minister, democracy will end. It is not incumbent on them to approach the Minister or the Speaker. But it is part and parcel of democracy that you have to approach the Minister, and that you have to approach the Speaker and get many things clarified. Even if there is a mistake on the part of the Speaker, you should meet him and say "Look here, Sir, it is not an individual case. You please allow." If I am convinced there is a case, I will allow.

Sri G. N. PUTTANNA.—There is nothing personal, Sir.

Mr. SPEAKER.—I have made myself clear. We have to work a parliamentary democracy. Chambers of the Speaker and the chambers of the Minister are part and parcel of democracy. We are at a stage when we are working in an independent country under a Constitution. We are not at a stage when we are only members of an Assembly which has no powers. We are not only advisers to the Government, but we are also the rulers. The Assembly is the Ruler. The members are not only the rulers but also the ruled. All this is part and parcel of democracy. If any Hon'ble Member carries a wrong idea, it is much better for them to know that the Speaker's chambers and the Minister's chambers are not their residence.

ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ತಾವು ಹೇಳುವುದನ್ನು ಹೇಳಿ.

Mr. SPEAKER.—I am not saying it; for you

ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಹಾಗಿದ್ದಮೇರೆ ರೂಲ್ 38ರ ಪ್ರಕಾರ ಬಂದರೆ "I have disallowed it; I do not want to consider" ಎಂದರೆ ಏನು ಮಾಡಬೇಕು?

ಅಧ್ಯಕ್ಷರು.—ಊಹೆ ಮಾಡುವುದು ಬೇಡ. That is unfair. You approach me.

ಶ್ರೀ ಬಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಒಂದು ಪ್ರಾವೀರ್ಷ್ ಸೇರಿಸಿ.

Mr. SPEAKER.—You are trying to be very unreasonable.

Sri G. N. PUTTANNA.—May or may not, I won't accept, because my questions have been disallowed.

Mr. SPEAKER.—Your question might have been disallowed. But you cannot make a grievance against the Speaker. I tell you and I have told you that you can come and see me and convince that

your cases have not been properly considered. I am willing to reconsider them. But you proceed in a hypothetical position—in case I disallow, what should be done? That is hypothetical.

Sri G. N. PUTTANNA.—With no animosity or hatred against anybody and particularly with regard to you as Speaker, I am saying this in general, Sir: Where is the harm if you say:

“If he proves to the satisfaction of the Speaker after the question is disallowed, the Speaker may allow the question.”

Mr. SPEAKER.—I have been telling you. Unless there is a bar in the procedure, I have every right. I have the power and I will have to exercise that power.

Sri Kadidal MANJAPPA.—Shall I draw the attention of the Hon'ble Member to Rule 322?

“All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct.”

Sri G. N. PUTTANNA.—But still I feel that a provision like this should be there, ‘including questions disallowed’ ಎಂದು ಸೇರಿಸಿ. ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ.

ಅಧ್ಯಕ್ಷರು.—322ರಲ್ಲಿ ಅಧ್ಯಕ್ಷರಿಗೆ residuary powers ಇವೆ.

ಶ್ರೀ ಜಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ನಾನು ಹೇಳಿರುವುದನ್ನು ಏಕೆ ಸೇರಿಸಬಾರದು?

ಅಧ್ಯಕ್ಷರು.—ಮತ್ತೊಂದನ್ನು ಸೇರಿಸಿ ಎಂದು ಇನ್ನೊಬ್ಬರು ಕೇಳಬಹುದು. ಅದರ ಮೇಲೆ ರೂಲಿಂಗ್ ಕೊಡುವವನೂ ನಾನೇ.

ಶ್ರೀ ಜಿ. ಎನ್. ಪುಟ್ಟಣ್ಣ.—ಹಾಗಾದರೆ ನನಗಿರುವ ಮೂಲಭೂತ ಹಕ್ಕೇ ಹೋಗುತ್ತದೆ. ಅದುದರಿಂದ ಇದನ್ನು ಸೇರಿಸಬೇಕು ಎಂದು ಹೇಳಿ ಮುಗಿಸುತ್ತೇನೆ.

Sri G. VENKATAI GOWDA.—I am very thankful to Mr. Speaker, Sir. Of course article 208 of the Constitution makes it obligatory for every Assembly immediately after it comes into existence to frame its own rules of procedure and conduct of business. I would have been very happy if these rules had been framed and adopted much earlier and it has been the luck of Sri Kadidal Manjappa, our Revenue

Minister, to move these rules for adoption now.

I am told, Sir, that we had a right of making a reasonable representation immediately after the question hour and I find that no provision has been made in this regard in these Rules. But the Hon'ble Speaker has made it clear on more than one occasion that whenever we feel any difficulty we may go to his chamber. Of course, we know that the Speaker will be a very kind person and receive us and he will make us feel at home in his chambers. But these are matters which should be provided for to give us sufficient scope for us to make representation on the floor of the House. My opinion, Sir, is that all reasonable representations may be allowed to be made in the House immediately after the question hour if the Speaker is convinced about the genuineness or the reasonableness of the representation.

I do not understand about the distinction that is being made in respect of starred and unstarred questions, Sir. In respect of questions relating to a particular region or locality, the Speaker has got the power to minimise the supplementaries, with the result, we resort more to starred questions. If that distinction is taken away, I do not think there is much that we are losing. There are some provisions here. The definitions are not exhaustive and also in rule 9 the Speaker appoints a panel of four Chairmen.

So far as rule 23 is concerned, you have restricted the time limit. This should not be made applicable in respect of legislative Bills because they are very important and every Bill has to be considered clause by clause. If time is fixed, we may not do justice to them and we cannot have good legislation.

In rule 28, you say:

“Provided further that on a motion made by a Minister for the suspension of this rule the Assembly may resolve to transact Government business on a day allotted for non-official business.”

There is another proviso:

“Provided further that the Speaker may in his discretion

(SRI G. VENKATAI GOWDA)

permit transaction of Government business on day allotted for non-official business."

When that proviso is there, I do not understand why there should be the earlier provision that I have stated. The Speaker has got powers and if the minister wants to get his business done, he may approach the Speaker and the Speaker may under the proviso make necessary arrangements. So, this proviso may kindly be deleted in view of the fact that necessary discretion is vested in the Speaker.

As regards rule 29, the proviso appears to be inconsistent with the main rule. It says:

"Provided that notwithstanding anything contained in rules 28 and 29 any such business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day."

Whereas the main rule says:

"Private Members' business set down for the day allotted for that class of business and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day."

Rule 30 (i) and (ii) also appear to be inconsistent. I request that these rules may kindly be modified so as to be in conformity with the main rule. Also, in rule 31, the proviso says:

"Provided the Speaker may suspend the operation of this rule in respect of any particular day or days."

My submission is the Speaker has got inherent powers. According to rule 31:

"A list of business for the day shall be prepared by the Secretary, and a copy thereof together with

other papers, if any, shall be made available for the use of every member the previous day."

That should be normally for a day and if the Speaker views that some business should be allotted for the day, he may do that. It does not mean that he will have to suspend the rule. He has the inherent powers and under that he can transact business in the House. Therefore, I submit that the proviso need not be there.

So far as rules 48 and 51 are concerned, my friends have already made reference to them. As for rule 67,

"If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction or recommendations of the Governor . . ."

Supposing a private member brings a Bill and if sanction of Governor is insisted upon, it may work as a hardship. Therefore, if a notice of it is given and if the Speaker is convinced, the Speaker himself may get the sanction of the Governor instead of making the member to get the sanction.

In respect of other things, like statement by a minister, you have made it something that cannot be reconciled with. My submission is that a member who has resigned has some obligation attached to him. It must be obligatory on his part to make a statement assigning the reasons that led him to resign from the Cabinet. Otherwise, it will create a lot of suspicions in the minds of the public. If a suitable provision is made, it would be conducive to the growth of democracy.

So far as no-confidence motion * is concerned, my friends have pleaded for the required minimum.

With these observations, I thank you, Sir, and close my speech.

MR. SPEAKER.—The question is:

"That the Report of the Special Committee on the Rules of Procedure and Conduct of Business

in the Mysore Legislative Assembly
be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—The House now
rises and meets on Monday at 1 P.M.

*The House adjourned at Thirty
Minutes past One of the Clock to meet
again at One of the Clock on Monday,
the 17th November 1958.*